

**THE GUILDS OF
OTTOMAN JERUSALEM**

AMNON COHEN

BRILL

THE GUILDS OF OTTOMAN JERUSALEM

THE OTTOMAN EMPIRE AND ITS HERITAGE

Politics, Society and Economy

EDITED BY

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THE GUILDS OF OTTOMAN JERUSALEM

BY

AMNON COHEN



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PART ONE
THE GUILDS

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A. A FEW INTRODUCTORY REMARKS

Intellectuals, and more specifically those academics referred to in the last two decades as “orientalists”, have become quite accustomed to vitriolic criticism of their craft levelled against them by some of their colleagues, either from within this peer group or outside of it. Ascribing such reprehensible conduct (partly, at least) to a variety of extraneous reasons and trendy arguments, we tend to think that earlier years witnessed greater respect among members of this discipline. Yet reading through the proceedings of a colloquium on the Islamic city held in Oxford, England, 35 years ago, one is taken aback by the choice of words of two luminaries against their elder and otherwise respected associate. Louis Massignon’s ideas on the history of Islamic guilds are referred to as “fancies” that have “no shred of evidence to support [them]” “worthless”, based on “a mere whim”—to cite some of the characterizations used by S. M. Stern. Claude Cahen, somewhat more reserved in his argumentation, suggests that “Massignon n’a nullepart explicitement développé tout son raisonnement”, and his “notion” is described, *inter alia*, as “fallacieuse” or simply “faux”.¹ Independently of one another, in a well-documented and devastating manner they take charge of a “young colleague” who some 30 years earlier, with what became in later years his “clarity” of thought and expression, was Massignon’s “lucid... disciple”—Bernard Lewis.²

The thrust of their argument is directed at the origins of Islamic guilds and their alleged Isma‘ili (also Byzantine) connection. Neither Stern nor Cahen (nor, for that matter, S. D. Goitein, whose earlier work on the Cairo Geniza they cite) argues that guilds did not exist in later years; they regard them as an integral aspect of Mamluk or Ottoman realities. On this they adopt Lewis’s description of 17th-century Istanbul, based on Evliya Çelebi, and of 19th-century Damascus, as per Elia Qoudsi’s address to the International Congress of Orientalists in Leiden in 1884. A similar approach to the guild system may be found in Gibb and Bowen’s analysis of the 18th-centu-

¹A. H. Hourani and S. M. Stern (eds.), *The Islamic City* (Oxford and Philadelphia, 1970), pp. 37, 40, 54, 55.

²B. Lewis, “The Islamic Guilds” in *Economic History Review*, vol. 8 (1937-1938), pp. 20-37.

ry Ottoman Empire.³ The space these two authors allocated to the description and analysis of this urban phenomenon indicates the relative importance they attached to it. After all, this was an urban institution that fit most naturally into the fabric of a society that all of the above scholars rightly viewed as a predominantly urban one.

The monumental, recently published *Economic and Social History of the Ottoman Empire* presents a vast tableau of topics that are thoroughly analyzed and described. In all of the five parts of this book, the guilds of craftsmen and merchants—who constituted a central element within the Ottoman city throughout a period of 400 years—are sketched in varying degrees of intensity. They figure most conspicuously in the pivotal chapter “Crisis and Change”, where the author bases most of her description and analysis on two major cities, Istanbul and Cairo. With commendable outspokenness, she notes that “the smaller towns largely remain *terra incognita*, and the bias of primary documentation and secondary research in favor of the largest cities must never be lost from view”.⁴ The pages that follow may be viewed as an attempt to partly amend this lack. They are the outcome of long research conducted in the *sijill* archives of the court of Jerusalem, and thus present the fruits of an investigation into the guild system in one of those small, though hardly “unknown” towns, during the 17th and 18th centuries.

Using the guilds as a focus of historiographic debate, the *Economic and Social History* offers two diametrically opposed positions. According to one, Ottoman guilds were “reasonably autonomous organizations...which defended their interests against members of other guilds, workmen outside the guild, and merchants”. Another perspective presented by other researchers ascribes only minor importance to the guilds as a defender of craftsmen and regards them as predominantly “organizations established by the central government to supervise and tax craftsmen”.⁵ Applying these two yardsticks

³H. A. R. Gibb & H. Bowen, *Islamic Society and the West*, vol. I, Part I (Oxford, 1950), pp. 276-299.

⁴S. Faroqhi, “Crisis and Change, 1590-1699” in H. Inalcık with D. Quataert(eds.) *An Economic and Social History of the Ottoman Empire*, vol. 2 (Cambridge University Press, 1994), p. 576.

⁵*Ibid.*, pp. 576-9. In a separate article, the same writer took a clear (though slightly reserved) position in this debate: “I think that for the time and place examined here, we can reject the thesis that Ottoman guilds were no more than a convenient device for the state to control an otherwise unorganized artisan population” (S. Faroqhi, “Ottoman Guilds in the Late Eighteenth Century: The Bursa

to Ottoman Jerusalem, we find ourselves largely supporting the first approach that underlines the local and autonomous nature of the guilds, rather than regarding them as an extension of the authority or apparatus of the central government. True, they constituted an essential part of the entire setup of Ottoman social and economic realities; hence they could not be considered a separate, independent phenomenon. As was the case in Bursa, certain elements were missing from our picture, for example, the religious element (although unlike Istanbul, and in a way reminiscent of contemporary Cairo, the term *shaykh* was commonly used in Jerusalem in this context without any apparent religious connotation). Moreover, another institution, signified by the unexpected reference to the *akhī bābā* (see below), seems to have been distinctly present in Jerusalem during the period in question; although no specific mention of the term *futuwwa* was traced in our sources, several of its basic concepts were still applied in conjunction with the reemergence of the term (see below, pp. 101-2), indicating that it was very much alive.

However, as may be gathered from the vast body of evidence that will be included in this work, the above dichotomy covers only part of the picture that emerges from our sources. As a matter of routine the local kadi—a central figure of the Ottoman administration—kept written lists of guild members as well as copies of documents attesting to the various guild heads appointed by the court. The deep involvement of the kadi in the entire guild system is a basic element that should be added to the typology mentioned above. Another divergent element, also noted in Cairo, is the existence of merchants' guilds in addition to those of craftsmen. The total number of active guilds in Jerusalem was below 100, a far less impressive figure than the 1100 recorded in Istanbul or the 260 guilds of Cairo. However, when making this comparison, three major factors should be borne in mind. First, Jerusalem's population was less than 10% (probably closer to 5%) that of Cairo, and it constituted a much smaller fraction of the capital of the empire. In spite of its demographic and administrative marginality, therefore, the overall principle of division of labor apparent in those two central cities of the Ottoman Empire was at least equally applied in our case and perhaps more so. Second, in spite of Jerusalem's religious importance for Islam, mixed

Case" in S. Faroqhi, *Making a Living in Ottoman Lands, 1480 to 1820*, Isis Press, Istanbul, 1995, p. 111).

guilds not only existed (as indeed was the case in Cairo), but in a few cases the kadi appointed non-Muslim heads to run them.⁶ Strict professional considerations seem to have been overriding, thus superseding any religious constraints or bias that may have existed in a broader sense. Third, unlike “Istanbul, Cairo and many Rume-
lian cities”, the phenomenon of a large number of artisans belonging to a paramilitary corps is not applicable in our case; this may primarily reflect the marginality of the military in Jerusalem as compared to other Syrian towns such as Damascus or Aleppo. However, although in certain cases particular reference was made to holders of military titles or even soldiers on active duty who also served as guild members or even guild heads in Jerusalem, there was not a shred of evidence there of the phenomenon apparent in Cairo where merchants and craftsmen were incorporated into the military as such.⁷

The case of Jerusalem is more like that of Cairo than Istanbul, probably because of the relative proximity, or perhaps the common heritage that evolved over many centuries of shared history. This is borne out by several other examples taken from the Arabic-speaking provinces. The number of guilds identified in 16th-century Hamat-67—is very close to that of Jerusalem, and with a few exceptions one may almost speak of an identical breakdown into fields, vocations and actual guilds. Here, too, the system included a merchants’ guild alongside the more typical pattern of various crafts’ guilds, not only covering a broad gamut of professional activities but in certain cases (e.g., public criers) even offering a much wider variety than in Jerusalem. The role of the heads of the guild in Hamat was similar to our case, regulated by the kadi and limited to strictly professional areas, bearing no identifiable religious connotation.⁸ In 17th-century Aleppo, to mention another case in point, the guild system was structured along similar lines, and the 157 professional

⁶ *Ibid.*, pp. 589-593. See, e.g., specific references in my *Jewish Life under Islam* (Harvard University Press, 1984), pp. 162-3. In 18th-century Bursa, the number of identified guilds was significantly smaller than in Jerusalem (Faroqhi, “Bursa” pp. 97-8). The maintenance of name-lists in Jerusalem was a routine kept throughout the entire period under review, unlike Bursa, concerning which Faroqhi adopts Gerber’s diametrically opposed conclusion (*op cit.*, p. 100).

⁷ *Ibid.*, p. 593.

⁸ ‘Abd al-Wadūd, Muḥammad Yūsif, “Ṭawā’if al-ḥiraf wa’l-ṣinā’āt aw ṭawā’if al-aṣnāf fī Ḥamāt fī’l-qarn al-sādis ‘ashar”, in *Majallat al-hawliyyāt al-athariya*, vol. 19 (1969), pp. 85-102.

guilds identified there in the middle of the century, projected against the demographic background of a town much larger than Jerusalem and situated at a very active commercial crossroads, further confirm the pattern sketched above. The comparison with Aleppo, in addition, applies to the basic criteria described above: the regulation of guild activities did not originate with “centralized planning from above”; the system was structured according to a “narrow professional specialization”; collective controls were not uniformly adopted, although artisans’ activities were closely controlled by their headmen and on a higher level supervised by the local judge.⁹ The current state of research on Tripoli precludes generalizations, but the few 17th-century court documents published so far indicate a similar situation there in regard to guilds.¹⁰

In Tunis, the other geographical extremity of the Arabic-speaking world, we come across an approximate figure of 100 guilds.¹¹ And were we to return to the heartlands of Syria, we would find that the same features reemerge in Ottoman Damascus (and Aleppo): an aggregate of 163 different guilds can be identified there for the entire period extending from the 17th to the 19th centuries, together with a high degree of professional specialization, and a relatively small number of guild members (e.g., 27 stonemasons) appearing in the few cases recorded. These guilds covered a wide range of crafts and professions that broadly fall into categories of production, services and commerce. The internal stratification and professional activities of each guild were regulated and directed by its head, to whom the local kadi subjected all of its members. This was the regular, major channel of communication between the otherwise autonomous guild and the government. Whenever dire financial conditions prevailed, it took the form of the imposition of special taxes on a quota basis, collected from each member by the guild head for the government.¹²

⁹A. Marcus, *The Middle East on the Eve of Modernity: Aleppo in the Eighteenth Century* (New York, 1989), pp. 157-77.

¹⁰N. S. al-Ḥumṣī, *Ta’rīkh Ṭarāblus min khilāl wathā’iq al-mahkama al-shar’iyya fī’l-nisf al-thānī min al-qarn al-sābi‘ ‘ashar* (Tripoli, 1986), documents 23, 32, 35, 36, 43, 48.

¹¹A. Raymond, “The Role of the Communities in the Administration of Cairo in the Ottoman Period” in N. Hanna (ed.), *The State and Its Servants* (Cairo, 1995), p. 34. In mid-18th-century London, “a well-informed economist” arrived at a similar figure—92—of “those exclusive companies [guilds]” (F. Braudel, *Capitalism and Material Life 1400-1800*, 1967, p. 404).

¹²‘Abd al-Karīm Rāfiq, “Maẓāhir min al-tanzīm al-ḥirafī fī bilād al-Shām fī’l-

We shall have more to say about the resemblances and disparities; but here it is appropriate to pause and turn to Jerusalem itself.

‘ahd al-‘uthmānī” in *Buḥūth fī l-ta’rīkh al-iqtisādī wa’l-ijtimā’ī li-bilād al-Shām* (Damascus, 1985), pp. 160-191.

B. THE GUILDS OF JERUSALEM

The town of Jerusalem under Ottoman rule may be viewed from a variety of standpoints. There was, obviously, its religious-historical importance: it was the first direction of prayer prescribed by the Prophet, and the third holy place after Mecca and Medina (*ūlā'l-qiblatayn wa-thālith al-ḥaramayn*). This change of status from “first” to “third” is indicative of a more general trend that the status of Jerusalem underwent in the course of later years of Muslim rule: although no attempt was made to reduce its historical and religious importance, politically and otherwise it lost much of its former grandeur. In Mamluk times, for example, Palestine was divided into two administrative sub-units (*niyāba*), neither of which was Jerusalem. Although a certain military and political presence of the Mamluk system was felt there, Jerusalem was then best known as a place of exile for unruly officers. The Ottoman occupation brought about a variety of changes in Palestine, one of which was a deliberate upgrading of Jerusalem; it became equal in status to the towns of Gaza and Safed, which formerly had ranked higher in administrative terms. The new rulers undertook a series of actions that were meant to augment both its political importance and its public image in the wider Islamic context of the empire. In the years of Suleiman the Magnificent an impressive wall was built around this town, its water supply system was reconstructed and effectively operated, old and dilapidated commercial structures were renovated and reactivated—in short, it became a vibrant town and demographically the main urban center of Palestine.¹

Jerusalem remained relevant, among other things, because of the continuing pilgrimages of Muslim believers to the shrines of the Temple Mount, as well as the daily readings there of sections of the Koran, with prayers to the Almighty for the well-being and success of the Ottoman sultan and state. Another perspective was the ad-

¹ See my *Economic Life in Ottoman Jerusalem* (Cambridge, 1989), pp. 1-10; “The Walls of Jerusalem” in C. E. Bosworth, Ch. Issawi, R. Savory & A. L. Udovitch (eds.), *The Islamic World* (Princeton, 1989), pp. 467-479; M. Rosen-Ayalon, “Suleiman’s *Sabils* in Jerusalem” *op cit.*, pp. 589-607. See also: A. Cohen & B. Lewis, *Population and Revenue in the Towns of Palestine in the Sixteenth Century* (Princeton, 1978), pp. 9-14, 81-104.

ministrative one: Jerusalem was the official place of residence of a district governor, a judge and several other high-ranking officers who were regularly sent from Istanbul in order to conduct the affairs of the entire district, reaching out to and occasionally involving the neighboring *sancaks* as well. The plethora of official documents sent from Istanbul to Jerusalem and preserved in the archives of both cities manifest the central government's paramount interest in the religious, as well as the administrative, aspects of its rule.

Decrees to Jerusalem were routinely addressed to the provincial rulers and religious leaders, as well as to other functionaries in Jerusalem, who in turn sent their respective reports to the capital. Towards the end of the often long list of officials and dignitaries to whom such *firman*s were sent, one occasionally comes across less distinguished addressees: *īsh erlerlri*. These “work[ing] people” (also: “clever workmen”) of the various professions, to whose attention the Sublime Porte saw fit to bring major decrees involving, for example, tax collection, nomination of a new governor or changes in the official exchange rates of the various coins in circulation,² are the focus of this work. They were definitely less prominent than the members of the ruling institutions or the religious hierarchy, but must have constituted an important additional prop on which the entire local society rested. To highlight and then get to know and understand this rather neglected side of Ottoman reality, we embarked on our search through the proceedings of the Shar‘i court in the hope of learning about, then reconstructing, Jerusalem’s guild system.

This part of the general picture is relatively unknown, rather eclipsed by the more conspicuous segments of the society—be they the indigenous, local notables and the religious elite, or the members of the ruling and administrative sector who had arrived from out of town, and in most cases left it at the end of their term of office. The attention both of contemporary chronicles and of later historians was drawn first and foremost to rulers, judges, and their retinue. More recent research focused on the local notables—the major families that accumulated wealth and acquired political weight in the course of the 17th century. Benefitting from the Ottoman policies of the Köprülüs, whose centralization efforts brought about the demise of local dynasties in different parts of Syria, a “cohesive

² Jerusalem *sijill* (henceforth: JS), vol. 214, p. 265; vol. 243, p. 77; vol. 285, p. 80; vol. 287, pp. 44-5; vol. 309, p. 68.

and determined group” of notables emerged in 17th-century Jerusalem. Well entrenched and enjoying the support of the population, they found themselves increasingly exposed to harsh and violent policies of short-term governors sent from Istanbul. The revolt of 1703, led by Naqib al-Ashraf and supported by the local population, was a manifestation of the gravity of the existing internal cleavage, and when finally defeated by the newly arrived governor, a devastating blow was dealt to the political and social importance of the local notables of Jerusalem.³

While Jerusalem was undergoing a long process of recuperation from these events, new developments occurred in Palestine: new political and administrative realities were emerging in its northern parts. Daher al-‘Umar, the head of a local family, gradually imposed himself as the ruler of Acre and most of the country, followed in 1775 by a Bosniac officer, Jezzar Ahmet Pasha. Although Jerusalem rejected all French attempts to have a consular agent appointed,⁴ the port of Acre—captured by the former and fortified by the latter—opened up widely to European trade and enjoyed the profits and many other changes it brought about. In the course of the 18th century it became the largest town in Palestine, its commercial links with France surpassing those of Sidon, formerly (and still formally) higher in administrative rank, while Jerusalem (and its port of Jaffa) lagged far behind demographically, economically and militarily.⁵ Because the political and military ramifications of these developments captured the attention of contemporary Ottoman politicians as well as European generals, most public attention was directed to Acre and away from Jerusalem. However, the opening up of central and provincial archives enables the historian to try to do justice to the non-political members of the local societies, shedding light on aspects of life barely discussed in earlier years. As we proceed in describing the different professions in Jerusalem, we shall come across some references to the “big” events involving famous individuals and to the generally important trends. Most of our attention, however, will focus on the historically “silent majority”, specifically on the

³ See D. Ze’evi, *An Ottoman Century: The District of Jerusalem in the 1600s* (New York, 1996), pp. 63-85.

⁴ Archives de la Chambre de Commerce de Marseille (henceforth: ACCM), lettres des consuls, Jerusalem, dated 1699-1702.

⁵ See my *Palestine in the 18th Century: Patterns of Government and Administration* (Jerusalem, 1973), pp. 311-328.

missing third element referred to above—that of the professional guilds.

In Ottoman Jerusalem there were some 70 different professions, organized in about 60 guilds (*tā'ifa* / *ṭawā'if*, *ṣinf* / *aṣnāf*, *ḥirfa* / *ḥiraf*). Although in a few cases (as will be seen below) certain internal relations existed, close personal ties sometimes even developed between guilds, and these generally prevailed for the entire period of the 16th–18th centuries. Each guild was an entity in itself, very keen on preserving its independence and particularity. However, seen from our modern vantage point and for the sake of a better appreciation of the range of their activities, one may group them under several common headings.

Food production and processing were by far the most prevalent professions, and they can be divided into sub-categories: meat and other animal derivatives (*qaṣṣāb* & *lahḥām*, *sallākh* & *dhabbāh*, *dabbāgh* & *qirabī*, *sarāmījī* & *bawābījī* & *qawwāfī*, *iskāfī*); grain (*ṭahḥān*, *khabbāz*, *mughgharbil*, *ka'kānī*, *kayyāl*, *ḥammāl*, 'allāf, *tarrās* (?)) ; oil (*mi'ṣarānī* & *sayrajī*, *zayyāt*, *ṣabbān*, 'attāl); candies (*ḥalawānī*, *qaṭā'īfī*); vegetables (*khudārī*); drinks (*qahwajī*, *saqqā'*); metalworkers (*ṣā'igh* & *quyūmjī*, *ḥaddād*, *naḥḥās* & *mubayyid*, *sakākīnī* & *suyūfī*); garment workers (*hā'ik*, *sha'ār*, *qaṭṭān*, 'abawī, *khayyāt*, *ṣabbāgh*, *qaṣṣār*, *qazzāz*); woodworkers (*najjār*); stone-masons (*ḥajjār*, *bannā'*); potters (*fawākhīrī*); candlemakers (*shammā'*); bookbinders and sellers (*mujallidī'l-kutub*, *bā'ī'ī'l-kutub*); entertainers (*muzayyīna*, *muhtār*); tourist industry (*dalīl*, *bā'ī' masābih*); public works (*zabbāl*, *tarrāb*, *makkārī*); public welfare (*ḥallāq*, *ḥammāmī*, *ṭabīb* & *jarrāh*, *bayṭarī*, *mughassil al-amwāt*, *ḥaffār*, *ḥammāl al-mawṭā*); merchants (*dallāl*, *sammān*, *baqqāl*, *tājir*, *sūqī*, 'aṭṭār). In the course of this work these will all be dealt with separately, although in a somewhat different order than just presented.

A. Food and drink

1. *Butchers* (qaṣṣāb)⁶

Meat supply was one of the most important tasks in Ottoman Jerusalem. The butchers (*qaṣṣāb*, *lahḥām*) were held responsible by both religious and administrative authorities for providing the town with

⁶ On butchers in 16th-century Jerusalem see a detailed description in my *Economic Life*, pp. 11–60. Some of the general trends discussed here could already be noticed as early as the 16th century.

meat, mostly sheep and goat, all year around. This duty was very clearly described: it was to be performed all day long, “from morning to evening”, hence they had to keep their shops open and offer “good meat” for sale to potential customers, the city dwellers as well as occasional visitors.

The largest buyer was the governor, whose kitchen, as well as that of his military entourage, the guild was expected to supply. From a document dated 1631 we find an indication of the order of magnitude of this supply: the governor owed the butchers a sum of 224 *ghirsh* for just over four months, which at the current price of 7 silver *qit'a* per *ratl* amounted to 1000 *ratl*, or about 80 *ratl* a day.⁷ The actual quantity must have been greater than that, since we may certainly assume that the governor paid a significantly lower price than the average going rate.

Selling meat was not just a professional and financial concern of the guild members who made their living from it, but rather a public duty: it was their responsibility to see to it that a sufficient quantity of meat was available for the local inhabitants. Since mutton was the most coveted meat, they usually bought large numbers of sheep that they kept in and around Jerusalem. The main supply channel was that of specialized importers (*jallāba*), who brought in large herds from remote provinces. However, not insignificant quantities of livestock were also acquired by the governor or other high-ranking officials, in their regular line of duty (though not always legitimately), which they later sold to members of the guild. In one particular year, 1643, we learn of the sale of 1750 sheep and goats by the governor’s representative for an approximate 2800 *ghirsh*; in an unrelated transaction another high-ranking officer, a *tīmār* holder,

⁷ A collection of documents dealing with the guilds of Jerusalem during the 17th century, copied from the *siyill* of Jerusalem, was published by Maḥmūd ‘Alī ‘Aṭā Allāh, *Wathā’iq al-ṭawā’if al-ḥirafīyya fi’l-quds fi’l-qam al-sābi‘ ‘ashar* (Nablus, 1992) (henceforth: MA). As will be gathered from my notes, I quite often consulted this collection for my own work, and in most cases I adopted his reading of the original texts (whenever I read differently, a specific note was made)—for which work I am indebted to him. See MA, vol. 2, pp. 104-5.

1 *ghirsh asadī* = 30 *qit'a*; 1 *ratl* = ~ 2.5 kg. In 1620, to cite another example, a regular large customer such as the Khasseki Sultan endowment was promised to be sold a quantity of meat at a reduced rate of 4-4.5 *qit'a* per *ratl*, which amounted to a discount of 30%-40% off the running cost of mutton. Meat as a marker of social status is a phenomenon known from contemporary Istanbul; I thank Suraiya Faroqui for this insight.

sold the butchers 500 sheep for just over 1000 *ghirsh*. However, the butchers could not stand idly by and wait for the potential suppliers to come: in case of meat scarcity, they had to go on missions out of town to buy and bring back a new supply, while seeing to it that a certain number of butchers stayed in town to attend to the regular supply of meat for the population.

The kadi, the main public figure concerned with the well-being of the local residents, was closely involved in this matter: in 1644, for example, he drew up a mandatory plan for the immediate supply of 400 sheep by the head of the guild, to be followed by another butcher who would import an additional 200 within 10 days, and another who would provide 50 more sheep within the next 10 days. The sense of urgency emanating from this very detailed plan and underlined by firm personal warnings to everyone involved, must have stemmed from unusually acute conditions of scarcity at the time. However, the kadi did not always wait until matters became so bad; his involvement in the supply of meat to Jerusalem was of a steady, ongoing nature. Two years earlier another kadi not only instructed the butchers on the importance of supplying Jerusalem “with large quantities of meat...so that whoever wants meat will find it” there, but offered an incentive: any importer (*jallāb*) who brought 50 sheep to town would be granted an honorific cloak (*yakhla’u ‘alayhi ‘abā*), while a consignment of 30 would earn him only extra *mousseline* cloth or headgear (*shāsh*). Moreover, by way of reinforcing the importance of the orderly supply of meat the kadi expressed his readiness to ride out of town in order to personally solicit importers and bring their merchandise to Jerusalem for sale.⁸

Meat was to be sold only in authorized shops. As with other guilds, this was done in order to ensure proper supervision of the standard of work, as well as of the service offered to customers. The kadi issued recurrent warnings against either slaughtering or selling in private houses, Christian monasteries or Jewish communal institutions. This means that attempts were occasionally made to do exactly that, e.g. to circumvent these provisions under the pretense that the meat involved was brought into town by neighboring villagers, who as late as 1719 were repeatedly warned to refrain from selling it in any residential areas in town. On the whole, however, such warnings were heeded and the relevant regulations were upheld. Most of the butcher

⁸ MA, vol. 2, pp. 120-7.

shops were located in Jerusalem's main market, *sūq al-sultān* or *al-sūq al-kabīr*. On various occasions it was emphatically reiterated that a butcher shop should be opened nowhere else. However, to improve meat supply for the local population, some exceptions were made, indicating an increasing demand. In 1642 a new shop opened at *bāb al-qaṭṭānīn*; another one opened at *bāb ḥiṭṭa* prior to 1677, and in 1677 five additional shops opened in the above-mentioned main market. All of these sold mainly mutton and some goat meat; only one was set aside for the sale of beef, which was less popular and cheaper. On the whole there were 12-15 officially authorized butcher shops in different years of the 17th century, but since several of them employed more than one functioning butcher, we may speak of about 20 guild members. In the mid-18th century Jerusalem witnessed a drop in the number of shops opened (8), and of butchers who served therein (12); in an unusually well-attended session of the local court they all publicly pledged—in the presence of an impressive list of religious and military dignitaries—to display and sell good, fat meat to the local customers at the price set by the kadi.⁹

Most of the butchers were Muslims, usually members of a few families that passed this craft on from one generation to another; hence some of the shops were jointly operated by father and son, or by two or three brothers. There were also a few Jewish and Christian butchers who catered to their own particular communities. The threat that Jewish butchers seemed to have presented to their Muslim peers in the 16th century¹⁰ must have subsided in the years following, probably because of the shrinking size and deteriorating conditions of the Jewish community. However, some traces of the initial negative approach were still evident: for example, in 1643 (when meat supply suffered certain setbacks), butchers were specifically warned to refrain from slaughtering for Jewish residents “unless there is more meat than the average”.¹¹

Most of the aforementioned regulations, instructions or warnings

⁹ MA, vol. 2, pp. 108, 110-3, 126-7; JS, vol. 215, p. 204.

¹⁰ See: A. Cohen, *Jewish life*, pp. 149-153.

¹¹ MA, vol. 2, p. 127. Some 40 years earlier the same idea was put in similar terms: “They should not slaughter for the Jews unless [the meat concerned was] the leftover from the Muslims” (*ibid.*, p. 107). In later years the shrinking of the Jewish community and its general decline manifested themselves in the deterioration of the “Jewish slaughterhouse” (*maslakh al-yahūd*), which fell to pieces, and only in 1761 was permission sought to rebuild it “for the benefit of the public” (JS, vol. 244, p. 184).

to the guild members were issued by the kadi through the head of the guild. As was the case with other guilds, the head was appointed upon the recommendation submitted to the kadi by other members. However, because of this guild's centrality, the kadi did not always wait to be told: in 1631, for example, he took the initiative and to avoid a dangerous vacuum nominated a scion of a family of butchers.¹² In the years that followed up to the end of the 17th century, other members were routinely appointed on the average of once every decade, sometimes to be replaced later on, and then reinstated. Although these changes indicate that there were certain tensions within the guild, there seems to have been a sense of continuity among a few families: in the last quarter of the 17th century, possibly because of increased activity and commitments, two brothers shared this responsibility, though only one of them remained to shoulder it at the turn of the century.¹³

Equal treatment of all guild members was the head's duty, while purchase of animals was his prerogative (or was done with his specific authorization). To avoid unfair competition, guild members were prohibited from meeting importers outside of Jerusalem or conducting private deals with them outside the specified locations. The routine provision of meat for the governor and his court was the responsibility of the guild's head, to be shared equally by guild members; only several months later were these outstanding debts defrayed. His more general but no less important role was to inspect the regular conduct of his fellow butchers and supervise the price of meat as announced from time to time by the kadi. All these major responsibilities notwithstanding, the head of the guild was also an ordinary butcher who, alongside his expertise and privileges, sold meat to the public and provided the authorities with a guarantee of proper future conduct: every two butchers vouched for one another; whenever sent for by the kadi, the paired guarantor would either see to it that his partner appeared in court or would report in person and personally bear the responsibility. The same held true for the head of the guild, who not only "vouched for all the butchers" but was given a similar pledge for his own personal behavior by others.¹⁴

The price of meat declared by the kadi was mandatory until the

¹² MA, vol. 2, p. 96.

¹³ MA, vol. 2, pp. 97-103.

¹⁴ MA, vol. 2, pp. 110-1, 114-8. The legal term used in such cases is *kafīl bi'n-nafs*.

rules of supply and demand dictated a change. In researching the 17th and 18th centuries we were less fortunate than in our earlier work pertaining to the 16th century: the statistics available on meat prices are far less satisfactory in terms of systematic data. However, certain general conclusions may be reached. First, no further references were made to other types of meat that had been mentioned in the past (water-buffalo, camel or cattle), very probably because of decreasing public interest. Second, the prices announced were only for sheep and goat meat, and they indicate little change in the patterns of supply and demand during most of the 17th century: from 1628 to 1648 the available records show a steady price of 7 and 6 *qit'a* per *ratl* of sheep and goat meat, respectively. Then in both 1650 and 1687 the price dropped to 6 and 5—and since we know of no reason to assume a significant change in the size of the population or its culinary habits, we may attribute this falling price to a rise of a similar order of magnitude in the quantities supplied to the town.¹⁵ The figures available for the 18th century, however, are much more erratic and generally much higher than previously: in 1719 the butchers were warned that mutton and goat should be sold for 18, in 1720, 16; soon thereafter the conditions of supply improved, hence sheep fetched 11 and goat 10. In 1726 the butchers undertook to sell for 15 during four months (and until prevailing conditions improved, no local sheep, but only imported, could be slaughtered). In 1745, just before the beginning of the holy month of Ramadan—18 for mutton and 16 for goat meat; on the eve of Ramadan in 1752 and also 1755—14 and 12, respectively; on the first of Ramadan 1756—16 and 14, respectively.¹⁶ As may be gathered from this list, the local population's rather regular habit of consuming excessive quantities of meat during the holy month of Ramadan was of crucial importance for the kadi when setting meat prices. Short of getting personally involved in the provision of sheep to town, or creating an efficient supply mechanism, all he could do to protect the public's interests was to fix a price at the beginning of that month, then force the butchers to adhere to it. One thing is certain: the butchers never lost money as a result of sales based on the kadi's ruling, since he, naturally, made his calculations in accordance with the information they provided him. Moreover, since the welfare of the popula-

¹⁵ MA, vol. 2, pp. 114-5.

¹⁶ JS, vol. 215, pp. 201-4; vol. 222, p. 64; vol. 234, pp. 1, 152, 193, 216.

tion was his main concern, the kadi sometimes changed his initial ruling and authorized meat sales for higher prices than he had set earlier, provided this guaranteed a larger supply.¹⁷ The general trend that emerges from these data is one of greater difficulties for the local inhabitants stemming from the deteriorating conditions in Syria and Palestine in the 18th century—conditions that made the import of sheep from adjacent areas increasingly dangerous and costly. Almost literally, the local population had to pay the price of the declining standards of administration and safety in Palestine.

Although listed above among several other guilds that were involved in meat and other animal derivatives in general, the butchers were the most important representatives of this entire category. Not only were the related guilds (see below, chapters 17-20) dependent on them for the supply of their raw material, but the butchers were, generally speaking, more affluent. Some butchers—over and above their regular professional activity—were deeply involved in trade relations with Egypt: in 1730 a butcher invested in a large consignment of soap (14 *qinṭārs*) intended, no doubt, for sale locally and possibly even for export. In 1726 a butcher imported a consignment of coffee beans from Cairo to Jaffa, then had it transported to Jerusalem. In both cases the commodity involved was of high value financially and a source of substantial profit. Because of their interest in the supply of meat, the butchers entered the sheep business on quite a large scale: in 1769 a butcher invested the substantial sum of 357 *zolta* in a partnership connected with sheep (both purchasing and raising them) together with an inhabitant of the neighboring village of 'Issawiyya. Ten years later we learn of yet another butcher who had invested 500 *ghirsh* in a profitable tanning and waterskins (*qirab*) production business that within a few years brought him a handsome profit of 80% on his investment, and another 100 *ghirsh* on a partnership in Egypt. All these were surplus sums they could save from their regular economic activity as butchers—yet another indication of the high rate of profit they made in their normal professional line. In the light of this massive commercial activity of theirs, one wonders whether these people did not cross the boundary between crafts and trade.

¹⁷ See, e.g., two successive rulings in JS, vol. 234, p. 152, just before Ramadan 1752: first he fixed the price for mutton and goat meat at 14 and 12, respectively, then when two butchers appeared before other guild members and undertook to supply large quantities as prescribed by him, he raised the mandatory price to 16 and 14, respectively.

The last example is relevant in a much wider sense. Thus, in 1779 a particular butcher left an inheritance of 2291 *ghirsh*, and another sum of 2327 *ghirsh* in debts owed him by different people. The combined sum of more than 4500 *ghirsh* is exceptionally high—far greater than the average inheritances encountered in the entire period under review (e.g. in 1782 a butcher's inheritance was evaluated at 344 *zolta*, the equivalent of 258 *ghirsh asadī*). It places this particular butcher at the top rung of financial success—no doubt owing to his economic talents, but also in relation to the achievements of smaller colleagues of his time, or from earlier generations. Investment in real estate was the most popular, as may be gathered from a few typical examples: in 1718 a butcher paid 150 *ghirsh* for a house in the al-Maghariba neighborhood; in 1743 another one bought himself a house in the al-Sa'diyya neighborhood for the sum of 100 *ghirsh*; 33 years later another butcher bought a house in the Bab Hitta neighborhood for 110 *zolta*; in 1765 a butcher sold part of his property for 162 *zolta*—which was 60% of the value of a building located in another neighborhood, that of Bab al-'Amud, which he had bought a few years earlier.¹⁸ In short, this was a guild whose members did not just fill an important culinary need for the local citizenry, but whose talents—matched and supported by ongoing favorable economic circumstances—turned them into highly important players in the overall economic field.

2. *Slaughterers* (sallākh, dhabbāh)

The slaughterers' guild was directly related to the butchers. They were responsible for the actual slaughtering of the animals at the slaughterhouse (*maslakh*), and for the skinning of sheep. Occasionally, when other animals had to be slaughtered, the butchers would avail themselves of these services, but this was regarded as an exception to the rule. The slaughterers were paid by the butchers for their work, probably per animal, but rejected any attempt to subject them to other liabilities of any other guild. Thus, for example, in 1677 they sought the support of the kadi when the butchers tried to impose on them compulsory quotas of less popular animals—camels, cattle—to be actually purchased or just financed, along with the butchers' guild. Their request was granted because of the basic

¹⁸ JS, vol. 213, p. 67; vol. 222, p. 67; vol. 224, p. 111; vol. 232, p. 86; vol. 249, p. 38; vol. 257, p. 38; vol. 261, pp. 46-7; vol. 262, p. 26; vol. 264, p. 94.

assumption that theirs was a separate guild, whose members were not supposed to participate in any of the activities of others, including the purchase or sale of meat.¹⁹ The following year the kadi took the exceptional step of appointing two brothers as joint heads of both the slaughterers' and the butchers' guilds, but this arrangement did not last long: later that year a separate head was appointed for the slaughterers, and the two positions were kept separate thereafter.²⁰

The appointment of a separate *shaykh* was the clearest sign of this guild's independence. Once appointed, he remained in office as long as he enjoyed the support of all his guild's members. This may have lasted only a few months, or years, and occasionally an old guild head was reinstated after having fallen from grace for years. The close links he maintained with the butchers' guild made his choice relevant to them; hence their *shaykh*'s presence at the court session when he was appointed. Equal treatment of all members—he was told by the kadi—was the main yardstick he was to apply, both in the distribution of animals and of income from sales. The immediate benefit that accrued to the head of the guild was that he was “more equal” than the others: whereas each fully qualified member was entitled to one “share” (*sahm*) of both income and liabilities, and junior members received even less, he was officially entitled to twice as much.²¹ All guild members were supposed to obey his decisions on whatever concerned “their affairs and their revenues”, i.e. on all professional matters, and failure to abide by them made the culprit liable to severe punishment meted out by the kadi.²²

The guild members were also dependent on how their head viewed their performance. He was regarded as the highest authority on their professional activity, and his word could advance or hinder them. In 1652 the head of the guild complained of the low standards of all the slaughterers except for five whose names he specified. He asked the kadi to allow only those five to continue to discharge their duties, whereas all the rest, being “ignorant children” as he put it, should be disqualified. These names appear on a list of ten guild members

¹⁹ MA, vol. 1, pp. 220-1.

²⁰ MA, vol. 2, p. 99; vol. 1, pp. 213-4. For an 18th-century appointment of a new *shaykh* to replace a colleague who turned out to be unworthy of the job “because of his lack of knowledge of slaughterers' affairs” see: JS, vol. 218, p. 112 (1723).

²¹ MA, vol.1, p. 213. We are not privy to any information on the quantities actually slaughtered, even though this was regularly recorded by a particular scribe at the slaughterhouse (MA, vol. 1, p. 209).

²² MA, vol. 1, pp. 208-12.

drawn up seven years earlier, and it is doubtful that they suddenly became so unfit. The kadi seems to have had similar misgivings, and so did not act upon the suggestion made to him but instead sent the ball back to the original court: the decision as to the degree of everyone's craftsmanship should be made by the *shaykh* himself, together with the inspector of the markets in town, the *muhtasib*.²³ Whatever the grudge might have been, no major changes were made in the number of guild members: throughout most of the century they amounted to approximately 10, in 1681 12 names appear, "and the rest" of them, the document goes on, if added could have brought the total to 15 and more. A similar figure may be gleaned from the recorded proceedings of the mid-18th century.²⁴ This is just below the figure we reached for the butchers, and one may assume that there was a link between the two: it is quite possible that each butcher employed a preferred slaughterer, which accounts for the correlation.

Then there were the Jewish slaughterers. Because of religious constraints, no member of this community could eat meat unless it was slaughtered by a Jew qualified for the job according to certain Orthodox rites and formulations. These were not, strictly speaking, ordinary guild members; their names do not figure on the detailed lists recorded in the court documents. However, they were probably part of "the rest" cited above, and could not exercise their skills unless granted a permit by the local kadi. The latter based his decision upon the testimony of fellow-Jews who swore that the candidate was "of an Israelite origin, from the [ancient] tribe of Judas' (*isrā'īlī'l-aṣl min sibṭ yahūdā*), or of Muslims who knew his slaughtering record from other towns (e.g. Damascus), or even of local Muslims—and the permit entitled Muslims, as well as Jews, to buy his meat."²⁵

Speaking of exceptions to the rule, the following court case that took place in 1681 is indicative. A certain *ḥājj* Darwish, once head of the slaughterers' guild, complained to the kadi that although he was equally qualified as a slaughterer and a tanner, he was not allowed to practice the latter craft. He summoned two tanners who produced water-bags, and they testified to his skill in the tanning of

²³ MA, vol. 1, pp. 219-20, 208.

²⁴ MA, vol. 1, pp. 213. For a list of ten slaughterers from March 1757 see: JS, vol. 240, p. 130. For a few more names see: JS, vol. 241, p. 33; vol. 240, p. 24.

²⁵ MA, vol. 1, pp. 214-8.

animal hides, as well as in the production of waterskins. The kadi, once convinced of his other talents, authorized him to become a member of the new guild, without banning him from the old one. The only condition was that he share all liabilities with the other guild members; once he did so, no one might hinder him from practicing both professions concurrently.²⁶ About 70 years later, in 1757, we come across another example, this time of a slaughterer—and the head of the guild for more than six months—becoming a butcher, but a few months later being reinstated as head of the slaughterers' guild.²⁷ The acquaintance with the butchers established through his functional links with them might have attracted him to what was an upgrading of his work (and probably of his pay, too), but eventually he returned to his old, perhaps more suitable career.

One thing was certain: an individual might change his guild membership, particularly among closely related professions, but then he was supposed to sever his old ties and allegiances, as was clearly proclaimed in a sultan's decree: "It is incumbent upon the subjects [of the sultan] (*ra'iyya*) that none among them will practice two crafts for the sake of [the general] order [of the Empire]".²⁸ The general order was not just an amorphous idea; it meant that everyone would move within his professional sphere, sharing responsibilities and financial burdens with his peers. Only thus could each one be entitled to enjoy the benefits that accrued to members of his guild. This may have been a conservative approach to life, making economic and social mobility very difficult—though not totally impossible—but it enabled all these spheres to coexist harmoniously and was regarded as the best way to promote stability and prosperity in their universe.

3. *Bread supply* (ṭahhān, khabbāz)

The supply of meat (and its various related products to be discussed later) was a central occupation of many guilds in Jerusalem. Meat

²⁶ MA, vol. 1, pp. 222-3. This was an unusual ruling: the normative behavior was such that a person could not, and actually did not, move in more than one professional circle. See, e.g., H. Gerber, *Economy and Society in an Ottoman City: Bursa, 1600-1700* (Jerusalem, 1988), pp. 38, 50.

²⁷ JS, vol. 240, pp. 47, 130; vol. 241, p. 33.

²⁸ JS, vol. 239, p. 42, dated early July 1755. However, as we have just pointed out, this regulation was not always kept. There seems to have existed a certain gap between principle and practice.

was the richest source of proteins for the town's population, although its actual consumption by the common people was limited for reasons of price and availability. During the 17th and 18th centuries, bread (of a variety of types) continued to be the main staple and most important source of calories for all segments of the local population. Braudel's reference to it as "the least expensive foodstuff in relation to its calorific content" held true, together with other main aspects of the supply of bread we portrayed in our earlier work on the 16th century.²⁹

Throughout the 17th and 18th centuries, the millers (*ṭahhān*) were still the most important element in the chain of bread production and supply. Although the overall population of Jerusalem underwent a certain decline after the 1570s, the number of millers grew significantly. The original figures of 10-13 during the 16th century were no longer valid for the following century, about which we have ample information. During its early years their number hardly changed; but from the second decade on it gradually grew to 16, and then to 30 in the early 1640s, remaining at approximately that point during the 1650s as well. In quite a few cases the detailed lists we have of millers' names provide no information other than first names, making it impossible to reach any sweeping generalizations. However, there are enough references in the court records to fuller formulations of those names, including family affiliation and other identifying details, to enable us to reconstruct several general features.

Some millers remained active in their profession for many consecutive years: 30-40 years were quite common, and even where the available data is not complete, an average of 20 years is quite normal. In a few cases (e.g. al-Ghabbari, ibn Tu'ma, Muhammad ibn 'Abd Allah) we can easily identify sons who have taken over from their fathers, which extended the period of direct family involvement to 50 years and more. In other instances (al-Dubayk, Takrur, Shirbana, Kazzum, Numayr, ibn al-Bahr) there were two or three brothers or cousins who served concurrently as guild members, a fact that further highlights the constant, ongoing nature of their family involvement with the guild. Very many of these millers were mature individuals whose names were preceded by the title *al-ḥājj*, indicating that they had fulfilled the religious obligation of going on pilgrimage, or

²⁹ See my *Economic Life*, pp. 98-101. For a detailed description and analysis of the activities of millers and bakers in 16th-century Jerusalem see *ibid.*, pp. 101-118.

they were *al-mu'allim*, meaning that they had reached the high professional status of "master". This element of continuity, although generally applicable, had a few exceptions: we can trace a distinguished guild member in the 1630s and 1640s who was the son of "the head of the market" (*shaykh al-sūq*), a term used to designate the practicing head of the merchants' guild; in several separate cases throughout the 17th century we found millers who came from a family of water sellers (*saqqā*); one of them had formerly been a grain-measurer (*kayyāl*), and the name of another bore the trace of an earlier occupation—a street sweeper (*zabbāl*). We do not know whether their descendants followed their example and remained millers, or also changed their line of professional activity. Whatever track they opted for, they tell us a story of upward mobility, of this guild's attraction for others.

Another example that can be added to the latter category was a certain "master" miller, *al-mu'allim* Musa son of Mahmud, alias *al-farrān*, i.e. "the baker" (a term alternating with *khabbāz* for guild members). Either he (who had functioned as a miller in 1602-4) or his father had been a member of the less distinguished bakers' guild, illustrating another case of social mobility. The professional link between the two separate (though related) guilds was quite obvious, since the millers provided the bakers with their main raw material—flour. However, this may be seen as an emerging novel feature of the 17th century: a steady takeover of parts of the bakers' guild by the millers. Several lists of the bakers' names dating from the early 1640s and 1650s point to a decline of up to 50% in the number of guild members, as compared to the figures we have for the preceding centuries (18 and 11 in the 17th, 20-30 in the 16th).³⁰ The same lists include a substantial number of names of acknowledged millers. Unlike the trend towards upward mobility described earlier, this cannot be interpreted as a case of contrary socio-economic mobility for a simple reason: true, these names figure on the lists headed "The names of the bakers of Jerusalem", but specific references are made to their continued activity in their prior capacity as millers. The 1653 list, for example, sums up the sources of flour supplied to each baker: in seven (of a total of eleven names provided), these are bakers about whom it is said "his flour is provided by his mill (*tāhūna*)" or originally stated in rhyme—"his oven (*tābūna*) is supplied by his

³⁰ MA, vol. 1, pp. 117-9; Cohen, *Economic Life*, p. 104.

mill (*tāhūna*)". In other words, these were millers who had not given up their initial craft, and they also keep appearing on the millers' lists for many years after. The change they underwent amounted to adding another profession to their old one, that of actually baking and supplying the daily bread of the townspeople. In a way this is yet another manifestation of the growing importance of the millers' guild, whose more active and powerful members, without exposure to outside pressure to give up milling, could expand and actually take over parts of the bakers' guild.

There were indications that their separate existence notwithstanding, the dividing lines between the two guilds were occasionally blurred at the other edge too: that is, with regard to the leadership. One case was that of Muhammad Kazzum, who had been head of the bakers in 1647, became a miller in later years, and on several occasions (1658, 1663, 1667) was appointed head of the millers' guild. As such, just like his peers, he was put in charge of his own guild members only—this time the millers. However, during the second half of the 17th century we come across recurrent references to "the *shaykh* of the millers and bakers' (in the years 1663, 1668, 1690, 1699).³¹ This was not caused by an oversight, or the excessive dynamism of a particular individual, but rather by the kadi responding to specific requests of members of the two guilds who preferred a combined leadership for both of them. There seems to be no doubt as to the voluntary nature of this development, emanating as it did from the grass roots and confirmed from above by the establishment. This does not mean that either of the two guilds ceased to exist: as late as the 19th century we quite often come across specific—and separate—references to the guilds of the millers and the bakers. However, in spite of the different functions they fulfilled in the production of bread, there seems to have emerged mutual penetration between the guilds. The bakers became, as was eminently befitting in terms of their relative importance, not just dependent upon the millers for their supply, but were actually subservient to them in other respects.

The millers' guild's high profile is also apparent from the pace at which its heads were replaced. In the 17th century, for which the

³¹ MA, vol. 1, pp. 9-16. Interestingly enough, during the entire second half of the 17th century no *sijill* documents concerning the bakers' guild were found by MA—yet another indication of its growing dependence on the millers.

court records afford us abundant information, we learn of 22 different occasions on which a new head was appointed (or sometimes an old one reinstated). This was much more than the average incidence encountered in any other guild, and even if allowances are made for the possibility of an unnaturally high rate of internal friction and perhaps the particularly quarrelsome nature of the members of this group, the same general conclusion still holds: just as is the case in the realm of money, where a high rate of turnover is an indication of a heated economy, the relatively high volatility of the leaders presumably reflects the dynamism of a guild. The general principle of equality seems to have been a most sensitive issue within the guild, and it was raised—as was that of the generally “insufficient attention paid to their interests”—as the main reason for their requests to have their guild’s head dismissed.³² This concept of equality did not, however, apply to the head of the guild himself.

There were certain benefits that came with the job, for example: a smaller share (one-quarter of a “role”—*dawr*) for which he would be held accountable in any general imposition levied from the guild, and no personal liability at all in the daily supply of bread to the governor and his court, an obligation he had to dispose of by dividing it equally among all other guild members.³³

In the late 1650s, when the number of millers substantially increased, the kadi agreed to appoint an assistant to the guild’s *shaykh*. Another function of the guild was fulfilled by a technical-support person (*mudawlib al-tawāhīn*), with whom the head of the guild must have maintained a special relationship, since he was commissioned to help collect a debt incurred in an earlier commercial transaction by the *mudawlib*. This function of technical maintenance was particularly important for the smooth running of the many mills operated by the guild members—at least 27 in 1642.³⁴

The aforementioned principle of full equality notwithstanding, some of the members were treated as more equal than others. That same year the kadi warned the head of the guild that whenever a tax was to be levied from the entire guild, the operators of seven of

³² See, e.g., MA, vol. 2, pp. 8-9, 15-6.

³³ MA, vol. 2, pp. 5, 16 (guild members were supposed to provide a daily 2 *raṭl* of the regular bread called *al-khubz al-kharjī* to the governor’s kitchen; the head of the guild was exempted from this obligation).

³⁴ MA, vol. 2, pp. 7, 26-7, 42-3.

its mills should be exempted, just as prescribed by “the old custom”.³⁵ Later in that century some of the details changed, but a substantial number of mills still enjoyed full immunity from any charges exacted from this guild.³⁶

No particular levies were mentioned, but at least part of them must have been the regular demands of the local governor for free supply of flour and bread for his kitchen. Others were more generally conceived as irregular taxes (*takālīf ‘urfīyya*) levied by the authorities in kind from the operators of the mills. By definition, regular mills were liable for all of these demands, under the occasional pretense of a purchase for which a promissory note was signed pledging a future refund. If lucky, they would have been repaid by the governor who was still in office; otherwise the rather large debts that accumulated in this way could have been written off upon the termination of the governor’s tenure and his transfer to distant provinces. However, the sums involved were such that no one would readily have relinquished them: for example, in 1604 the millers, in order to retrieve their money, authorized a high-ranking official (the *wakīl kharj* of the Khasseki Sultan endowment) to try to collect some 487 *ghirsh* from a former governor for which a commission of 10% would be defrayed on any part of the debt he would recover (an even higher rate was promised for recovery of the whole amount).³⁷

Supplying the governor with cereals or flour (and bread for millers who also operated bakeries) was just a sideline in the overall activities of the millers’ guild. Its main function was to regularly provide the Jerusalem bakers with flour so that they might supply daily bread to the townspeople. Somewhat reminiscent of the modern connoisseur of coffee who will not enjoy the beverage unless it is prepared of freshly ground beans, thus good bread, to be properly appreciated by its potential buyers, was not only to be freshly baked but made of freshly ground wheat and barley. This was not only a matter of the changing sensitivity of the human palate; in a daily

³⁵ Two of them were part of the al-Salahiyya and al-As’adiyya endowments, one was earmarked for the upkeep of *naqīb al-ashraf*, another for the commander of the citadel, yet another allocated for the commander of the “feudal” officers (*alay beyi*), and one for the expenses of the North African (*al-maghāriba*) community (MA, vol. 2, p. 35).

³⁶ MA, vol. 2, pp. 11-2 for 1672; pp. 40-1 for 1675; see also: pp. 37-8 for 1644, p. 39 for 1651.

³⁷ MA, vol. 2, pp. 18-20. He had incurred this debt in return for the provision of a consignment of wheat and barley for which he signed a promissory note.

diet that was much less rich or variegated than our own, the relative importance of bread was far greater. Equally relevant were the rather poor sanitary storage conditions, which would have resulted in the use of stale flour for baking; this would have affected the local population and not have been tolerated by the *muhtasib*. Be that as it may, the millers were expected to provide a daily quota for the different bakeries in town.

In 1614 a total of 450 *ratl* were supplied to bakers by 14 different millers, half of whom provided a total of 40-60 *ratl* each. If we add an estimation for two additional millers who supplied their own bakeries, we reach a total of more than 500 *ratl* of flour per day. In 1653, 545 *ratl* were provided for other bakers by 16 millers, and if we add an estimated average of 30 for the other seven who had their own bakeries, the total of 750 *ratl* shows much greater activity that tallies with other indicators described above.³⁸ In most cases a miller supplied at least two bakers with smaller daily units of 10-20 *ratl*, which gave him greater leverage over them. The rationale underlying this system had, quite naturally, nothing to do with such tactical considerations, but rather with the responsible approach of ensuring a quantity of flour ground daily for every bakery. This was a policy established by the authorities, who regarded the regular supply of bread to the town as one of their major duties; hence the exact quantities were prescribed by the kadi and were binding for each guild member. One would assume that in this, as in other matters of general concern, the kadi based his judgment on information and advice he received from the head of the guild. In several cases where comparisons could be made, we could easily see that the quota for a given miller was not constant but rather underwent substantial changes (e.g. from the beginning to the middle of the 17th century). The mills were all basically similar, which indicates that the main criterion for setting a quota was not of a technical but rather a practical nature:³⁹ financial arrangements of the

³⁸ MA, vol. 2, pp. 21-31. On similar conditions that prevailed during the 16th century see: Cohen, *Economic Life*, pp. 104-5.

³⁹ The overall space of one dilapidated mill was 10 by 11 *dhirā*, i.e. approximately 6.50 by 7 meters (JS, vol. 253, pp. 134-5; Cf., “*dhirā*” in *EL*²). On the symbiotic relationship between millers and bakers in late 17th-century Tripoli see: Humsi, pp. 331-2. In this case the bakers came to the court, where they undertook to refrain from charging a certain miller more than his annual agreed-upon fee for the right to operate his mill.

individuals concerned, or changes in the demand of the population living in a certain area.

Unlike meat, which was supposed to be slaughtered at one spot—the slaughterhouse—and sold at a variety of butcher shops located at the central Sultan’s Market, bakeries were dispersed over all of the major neighborhoods in town. Since bread was regularly bought by everyone, bakeries had to cater to the needs of the woman who preferred to purchase her family’s daily bread at a place close to home, involving as little exposure to strangers as possible. We were able to identify at least eleven bakeries, often located close to the mills, and dispersed in the following neighborhoods: Bab Hitta (three), Bab al-‘Amud (three), the central market (three), al-Nasara (“the Christians”), and the North Africans’. Although the direct responsibility of supplying bread lay with the bakers, we have noted above close ties and a growing affinity between the two guilds. The kadi, along with the *muhtasib* who on the kadi’s behalf inspected all economic activities conducted in the centralized markets as well as at the various shops, had every miller personally come to the court and pledge to provide the town from morning to evening (either directly or through the bakers) with the quantities of bread he had promised. If, for any reason, any of them was found negligent in the discharge of his duty, the kadi would have him flogged and he would have to pay a fine to the governor.

The responsibility was thus personal and individual, but in order to make it more binding, every miller (including their *shaykh*) had to vouch for a colleague.⁴⁰ The bakers, too, had to personally vouch for one another, and their *shaykh* had to make a special pledge to supply the town with daily baked bread that would be available from sunrise to sunset. On one occasion in 1642, when there was no more bread to be found in the market, the *muhtasib* came “weeping and complaining” (to quote the text directly) to the kadi about the bakers who closed their shops in the middle of the day. The *muhtasib* reported that they produced just half of their regular quota for no obvious reason, and when summoned to the court they could not justify their behavior. While the kadi was considering their punishment, both the Hanafite and the Shafi’ite *muftis* of Jerusalem appeared personally in court and implored the kadi not to take any drastic measures against them. The kadi obliged, limiting his intervention

⁴⁰ MA, vol. 2, pp. 25-33, 41-2.

to a final warning to them all and extracting a personal pledge from each of them that such a situation would never again occur.⁴¹

Although each bakery sold bread to its immediate neighbors, the commitment was a general one: to provide enough bread for all of the townspeople. This included the Christian neighborhood, as mentioned above, and the Christian affiliation of several millers and bakers was specifically pointed out in the lists of names drawn up by the court. We did not come across any Jewish millers, although one list (in 1653) mentioned a Jewish baker, and in another case two Jewish bakers vouched for one another. However, unlike the case of the butchers, religious constraints did not limit the normal Jewish consumption of ordinary bread. For the Passover holiday, however, there were special restrictions that were enforced according to Jewish tradition. During seven consecutive days Jews are supposed to eat only specially prepared unleavened bread, and this required special milling. According to a well-established "old custom", the Jewish community rented two mills located in their neighborhood and designated by the head of the guild. This was announced at a special meeting of all members of the guild, who were warned to refrain from selling flour for the holiday's unleavened bread (*faṭīr*) to any Jew unless it came from one of those two mills.⁴²

Adhering to the quotas laid down by the kadi was one important aspect of safeguarding the regular supply of bread. Another aspect, no less relevant for the potential consumers, involved the prices set by the same kadi. In order to avoid inflated expenses that would eventually find their way into the price mechanism of the final product, the kadi set the cost of grinding of wheat (or any other grains for that matter) at 2 *qit'a mişriyya* per *mudd* (i.e. approximately 7.5 *ratl*) in 1602; with the growing demand at the middle of the century it rose to 4 in 1660.⁴³ The kadi also exercised quality control: in 1682 he warned the millers as well as the bakers to buy wheat at 24 *qit'a mişriyya* per *mudd* ("until the new crop comes into town"), to sell *īābūnī* bread at 2 *qit'a* per *ratl*, and to produce white bread that bore no

⁴¹ MA, vol. 1, pp. 115-6.

⁴² MA, vol. 1, pp. 125-6, vol. 2, pp. 44-5. For the involvement of the Sublime Porte in this, or a related custom, see a decree issued in Istanbul in September 1783 and registered with the Jerusalem kadi about two months before Passover 1784, JS, vol. 263, p. 143.

⁴³ MA, vol. 2, pp. 17-8.

black marks (indicating the addition of lower-quality ingredients).⁴⁴ Other years of the 17th century show only minor fluctuations (about 10%) in the price of flour and bread.⁴⁵

Moving into the 18th century, we encounter more substantial changes: in 1719 the *tābūnī* bread was priced by the kadi at 4, but early in 1720 he set it at 3 and permitted its sale at 3.5 until the new crop arrived in town; it was 9 in early 1745, later that year going down to 6 (with a strict warning against any attempt to tamper with it until the end of the month of the Ramadan fast); 4 again in 1750; 5 in 1755. The main reason for the changing price of bread was the oscillating price of wheat: *ca.* 70 *qif'a* per *mudd* (according to quality) in 1719, 60 in the mid-1720s, 40-50 in 1721, 40 in 1735, 75-80 in 1755. Since wheat grinding was calculated by the kadi at 0.25% of the price of 1 *mudd* of barley (itself set at half the price of wheat), the rising bread prices reflect an even higher price rise that was compounded by what the wheat merchants as well as the millers had been subjected to. Calamities resulting from natural or human causes bring out the correlation in even sharper peaks: a locust invasion in the mid-twenties pushed the price of wheat to 4 *ghirsh* per *mudd*; the Napoleonic invasion of 1799 brought it up to 15 in 1801.⁴⁶

None of these prices was set arbitrarily; they were based on detailed calculations presented to the kadi by the people concerned,

⁴⁴ MA, vol. 2, p. 45. Other kinds of bread baked in Jerusalem were also priced by the kadi: *khubz*, *māwī*, *sāmūnī*, *armanī*, *qirshalla*. Then there was *ka'k* and *kimāj*, baked by members of the *ka'kānī* guild. Each brand was sold at a special price, between 2 and 3 *qif'a* per *raṭl* (MA, vol. 1, pp. 120-3). The head of the *ka'kānī* guild was in charge of the producers of other specialized breads: *kimjāniyya*, *baqsamāṭiyya*, *jakajjiyya* (?) (MA, vol. 2, p. 153).

⁴⁵ In 1643, for example, the same kind of *tābūnī* bread was sold at 2.5 *qif'a miṣriyya* per *raṭl*; in 1653 flour for the same bread was sold at 18 for 10 *raṭl* (MA, vol. 1, pp. 120-1).

⁴⁶ JS, vol. 215, pp. 202-4; vol. 222, pp. 56, 126; vol. 227, p. 253; vol. 234, pp. 2, 21, 193, 220; vol. 235, p. 1; vol. 283, p. 22. In 1812 the kadi set the price of flour to be sold by the millers at 27-30 silver coins (*fidḍa*) per *raṭl* (JS, vol. 290, p. 83) (1 *ghirsh asadī* = 40 *qif'a miṣriyya*).

A most instructive breakdown is provided for early 1721: half a *mudd* of wheat was bought at 23.5 *qif'a*, then after grinding and baking, it yielded 12.25 *munn* of bread sold for 37 *qif'a*, i.e. 3 *qif'a* per 1 *raṭl*. Expenses for 10 *mudd* of wheat would come to 149 *qif'a*, out of which 15 went for transportation, 16 for the use of the mill, 15 for sieving (*mugharbil*), 15 for kneading (*'ajjān*), 30 for firewood, 15 for the baker, 5 for salt, 5 for the water carrier (JS, vol. 215, p. 202). Calculated at this rate we reach an extra 7.5 *qif'a* of expenses on the above transaction, bringing it to 31 *qif'a*—hence a net profit of 6 *qif'a*, i.e. 20%, for the baker.

and on a systematic feedback of checks and reevaluation he conducted.⁴⁷ In July 1745, for example, the price of bread had been brought down to 5 *qit'a* per *mudd*, as a result of the reintroduction of law and order that enabled the importers of wheat and barley to resume their regular supply to Jerusalem. Under these circumstances the bakers undertook to provide the town daily with ample quantities of white, well-baked, leavened bread for the period of three and a half months. This was determined by the kadi in order to ensure a smooth and satisfactory month of Ramadan, when the demand for bread soared because the daily fasting of the entire population was compensated by socializing and heavy eating every night. However, the bakers insisted that they could not work at this price. Hence the kadi again checked his data, and finally agreed to set it at 6. For his part the “chief measurer” undertook to facilitate the entire process by preventing hoarding or monopolizing, and instead allocating small quantities to all the millers and bakers (and also to the needy within the population), to be distributed from the entire consignment arriving in town every day.⁴⁸ On the whole the soaring prices described above hardly involved harassment by the local authorities, or indicated a failing urban system—those in charge of the system, in fact, tried their best to improve the situation. The soaring prices invariably reflect the deteriorating general conditions in Palestine during the 18th century.⁴⁹ The growing incursions of the bedouin tribes against the sedentary population, the deteriorating standards of the military units at the disposal of the governors, themselves of lower personal calibre and functional efficiency—these contributed to a general decline of agriculture, and hence the rising price of bread for the urban population.

The main links in the chain of bread production were the millers and bakers, but along its course there were a few other stops. From the above breakdown⁵⁰ of the price of bread we learn of the participation of kneaders and sievers. The former may have constituted part of the bakers’ guild, since we have never come across any ref-

⁴⁷ See, e.g., a report from 1735, when a certain miller complained of his inability to sustain the price he was supposed to charge for the bread he sold, which prompted the kadi to summon the dignitaries of town to discuss his allegations (JS, vol. 227, p. 253).

⁴⁸ JS, vol. 235, pp. 1-2.

⁴⁹ For a general description see my *Palestine in the 18th Century: Patterns of Government and Administration* (Jerusalem, 1973), pp. 5-7, 324-7, and *passim*.

⁵⁰ See note 137.

erence to a guild in their name. The “grain sievers” (*al-mugharbilīn li’l-ḥubūbāt*), however, did have a guild of their own; its head was appointed by the kadi upon the recommendation of his colleagues, and his main function—one is tempted to say: as usual—was to lead and supervise all guild activities, always guided by the principle of equality among all members.⁵¹ The consignments of grains were brought to town either by importers (*jallāba*) or by the villagers who grew them in neighboring areas and brought more limited quantities into town; these were then sold by smaller merchants (*bayyā*) who were entitled to add 25% to the original price.⁵²

The place where all of these sales were carried out was the open space called “the vacant lot of the grains” (*‘arṣat al-ghilāl*, *‘arṣat al-bāzār*), located near the main market. After unloading the wheat and barley, the pack animals were kept there, and it was there also that all grains that came into town were measured, rather than being weighed as is done in modern times.⁵³

This was not an innovation: the same lot had been utilized for the same purpose ever since the early Ottoman rule and even before that. The main difference was that because of the growing activity there, the income generated in monetary terms kept increasing.⁵⁴ The official measuring instrument used was the *kayl*. It was employed by the “measurers” (*kayyāl*), headed by the “chief measurer” (*kayyāl bāshī*). Unlike our modern world, weights and measures used in Ottoman times, although called by the same names throughout the empire, actually differed from one locale to another. Thus the Jerusalem *raṭl* amounted to 900 *dirhams*, while that of Gaza and Ramle came to only 800. This was a meaningful difference that could hardly be conducive to fostering close economic ties between the separate administrative parts of Palestine. The growing centrality of Jerusalem as a consumer of cereals and other commodities from more remote ar-

⁵¹ JS, vol. 207, p. 345.

⁵² MA, vol. 2, pp. 81-2.

⁵³ JS, vol. 249, p. 87. See also my *Economic Life*, pp. 106, 110-2.

⁵⁴ In the five-year period 1785-1790 the total sum levied at the 2 *iwāns* (cf. “*iwān*” in M. M. Amin and L. A. Ibrahim, *Al-muṣṭalahāt al-mī-māriyya fi’l-wathā’iq al-mamlūkīyya*, Cairo, 1990) and the adjacent *khān* came up to just over 17,500 *zolta*, i.e. 3500 *zolta* per year (JS, vol. 273, pp. 66-7). In 1766 the “chief measurer” there admitted paying an annual 518 *zolta* plus 100 *mudd* of barley to the endowment of al-Afdaliyya for the one-third of his annual rent it owed; the other two-thirds were to be paid to the Temple Mount endowment. The total of over 1500 *zolta* was fivefold the rent paid for the lease in 1560 (see my *Economic Life*, p. 108).

was called for an effort at standardization that would facilitate this traffic. In 1714 a letter was sent by the kadi of Jerusalem to the main urban centres of Ramle, Lydda, Gaza, Jaffa and Majdal 'Asqalan. In response to complaints that had reached him about various suppliers who exploited these differences in measurements to their benefit while causing significant harm to the local population, he instructed the local authorities in each area to immediately replace their existing measures with *kayl* units that had been sent from Jerusalem; they were to resort to 900-*dirham ratls* instead of the smaller ones previously used.⁵⁵ Such a move had obvious intrinsic logic, but it should also be seen as one more step towards creating a new administrative reality in which Jerusalem's centrality was increased to include most of southern Palestine.

Later years make no reference to this particular problem, which seems to have been adequately solved. However, this very active area yielded new problems. According to a detailed report of the "chief measurer" in mid-1769, two different *kayl* measures were used by members of the 'allāf guild who provided barley and cheaper millet (*dhurra*) to the townspeople. When they bought their grains from the *jallāba*, the importers in bulk, they used a larger *kayl* than the one they employed when selling to their customers. The difference in volume actually meant not only financial damage to the importers, but a rise in prices for the local population. The kadi, whose concern for the well-being of the Jerusalemites was a central consideration, warned that all this should stop and decreed that only one *kayl* measure be employed for all transactions. This longer-than-average *sijill* focuses on other aspects of grain selling and sheds light on other guilds involved in this sector of the economy. The porters (*ḥammāl*), for whose guild it has left us some twelve names, are not supposed to interfere in the dealings of the 'allāf guild, for which we have some ten names from earlier years:⁵⁶ they are not to indulge in the purchase or sale of grains, which is the prerogative of the latter only. The 'allāfs, on the other hand, must close down the recently opened shops near the bazaar, since their uncontrolled grain sales had caused a renewed price hike that was detrimental to the general public. The only individuals who may buy or sell grains are the "chief measurer" (*kayyāl bāshī*) and his partner (or certain 'allāfs

⁵⁵ JS, vol. 209, pp. 539, 542.

⁵⁶ Eight for 1643, a few others for earlier decades (MA, vol. 2, pp. 79-82).

authorized by them), who may function in the specifically designated storage area (*ḥāṣil*) near the bazaar (the aforementioned *‘arṣat al-ghilāl*)—thus reintroducing proper price control.⁵⁷ Once again, as we have seen before, the authorities’ zealous insistence on the strict implementation of the dividing lines between guilds appears to have been motivated by a built-in conservatism (which is not incorrect conceptually). It was, actually, a tool used for more mundane aims, i.e. to curb any inflationary trends introduced by guild members who transgressed their limits and indulged in unauthorized and uncontrollable professional activities that benefitted themselves, but were eventually harmful to the population at large.

Such attempts of members of one guild to extend themselves and indulge in additional activities that were actually the realm of others, were not new. Exactly one hundred years earlier, a similar situation was described by the kadi: the six members of the *tarrāsīn* guild, elsewhere called “the porters of wheat” (*ḥammālī’l-ḥiṭṭa*, or simply *ḥammālīn*), buy wheat and barley from the *jallāba* importers and store them surreptitiously in a certain cave (*al-jūra*) near the bazaar to be sold later at a higher price than the official one. The kadi warned them against such doings: by monopolizing the grains and raising their price they inadvertently harm the townspeople, and this must be stopped. Since one of the culprits was the son of a veterinarian, the kadi formulated his ruling in a manner that would strike home: a veterinarian (*bayṭār*) should practice his own profession exclusively, just as the *tarrās* guild members should follow only their own craft.⁵⁸ The complaint against their misbehavior was lodged by the “chief measurer” (*kayyāl bāshī*), but the very same person (along with two of his colleagues) was himself the object of a reprimand of several millers who in 1646 asked to be relieved of these measurers’ services because they directly supplied the Jews of Jerusalem with grains, thus circumventing the regular channels and harming all other potential consumers. The measurers (*kayyāl*) were to supply the market and the related closed storage areas and depots (*maghālīq*) first; only then could the incoming cereals be sold to the public—and this was to be done by the porters. The porters’ guild must not buy the grains for themselves, but should only transport them in smaller quantities

⁵⁷ JS, vol. 252, p. 85. On the new name for an old institution see: *‘arṣat al-ghilāl al-ma’rūfa bi’l-bāzār* (JS, vol. 265, p. 35).

⁵⁸ MA, vol. 1, pp. 59-60.

for the assigned price of 1 *qiṭ'a* for 5 *mudds*, and only in sacks bearing their marks rather than in the original ones, those of the importers. The head of their guild—who on one occasion (1635) was also the “chief measurer” and the lessee of the *kayl* of Jerusalem—was warned to treat all members justly and assign all the financial charges incurred by the guild as a whole in equal parts.⁵⁹

Thus, the reality just described was far from exceptional: although the rules of the game were clearly drawn, they had to be repeated time and again to guild members who did not otherwise abide by them. In 1753 a situation very similar to that of 1769 was described at the court, though the names involved were different: professional measurers and porters were contravening the market regulations and indulging in the sale of grains of all sorts. This was a privilege that had always been reserved only for the *kayyāl bāshī*, who was therefore entitled to collect the measuring and portage fees prescribed by the old *qānun* code. The kadi warns that this malpractice must stop, and no subterfuge such as using the stamped and logoed, separated sacks (*firad al-jallāba*) instead of their own *firad* will be tolerated anymore. Since the new “chief measurer” (*kayyāl bāshī*) installed some time earlier, Mustapha Fadli, is an honest and qualified person who behaves in accordance with the time-honored regulations, he should also collect all the above fees. Less than a year later the same person’s performance was extolled by a group of millers, porters and measurers: not only did he treat Muslims, Christians and Jews equally, he also pleased all the *jallāba* merchants who were the main wheat importers to town, as well as anyone else who brought grains for sale to the bazaar. He discontinued the double standards of measuring grains by a large *kayl* for the importing merchants, while using a smaller one for sales to their own customers. He also warned the porters against the unauthorized use of the logoed sacks that belonged to the above importers; each and every porter should regularly use a pack animal of his own, as well as *firad* sacks distinguishable as his.⁶⁰ The same logic described above is applicable here as well: the “chief measurer” was a high-ranking official, a *multazim*, who leased the income of the official *kayl* measure and was granted the right to collect

⁵⁹ MA, vol. 1, pp. 56-8.

⁶⁰ JS, vol. 237, pp. 220, 301. (The text reads: “*lā yuqārishū firad al-jallāba... wa-anna'l-ḥammāl yakūn lahu bahīm wa-firda mulk nafsihī*.”) In a separate document (JS, vol. 253, p. 169), taxes are collected from every *himl wa-firda* of grains (i.e. each *firda* is one-half of the usual pair of sacks—*himl*—of a given pack animal).

all the relevant payments of those who availed themselves of his services. As part of the local administration he was responsible for the smooth operation of this entire phase of bread production, forming the linkage between the importers and the millers. Any attempt to circumvent his control would have meant not just breaking the rules but pushing the prices up. It was to avoid this that he was encouraged by the kadi to keep the guild members in check—and rightly so.

In later years (1772, 1776) the same logic prevailed: newly introduced procedures aimed at increasing the income from the lease of grain measuring—e.g. an additional 10% levied from monasteries on grains directly supplied, or applying the same tax yardstick to small consignments of 1 *mudd* and even less that had formerly been exempted—these and other procedures were declared illegal. The kadi banned them—under the unusually severe threat of the death penalty—not so much for their “aberrant innovative” nature, but because they brought about a rise in grain prices, which was equally damaging to buyers and sellers, and in the final analysis to the general public.⁶¹ The religious sanction was, indeed, resorted to, but here again, economic reasoning was highlighted as the most relevant and meaningful. The last point becomes even more valid if we bear in mind that the income from the measuring tax was actually leased out by the administrators of the Temple Mount endowment and those of *al-madrassa al-Afdaliyya*⁶² to whom it belonged. As a result the entire issue exceeds the scope of religious jargon, and actually enters the field of economics; after all, this income was earmarked for the maintenance of central religious institutions. As late as the last decade of the 18th century the income from grain measurement was a bone of contention, still widely debated in both Jerusalem and Istanbul. However, the religious context, which could easily have been manipulated, was kept at a secondary level by the religious authority of the kadi who, once again, chose to address himself to socio-economics, i.e. concern for the welfare of the local population, as the main consideration underlying his approach.⁶³

A final note about the personal economic status of millers and bakers may be pertinent: it appears that members of both guilds

⁶¹ JS, vol. 253, pp. 171; vol. 257, p. 45.

⁶² For details on this *madrassa* see: K. Asali, *Islamic Institutions of Learning in Jerusalem* (Amman, 1981) (in Arabic), pp. 116-7.

⁶³ JS, vol. 273, pp. 66-7; vol. 274, pp. 144-5.

managed to accumulate fairly substantial assets. A Christian miller bought half a building for 200 *zolta* in 1744. Another Christian miller bought a house from a silversmith for 350 *zolta* in 1736. A Muslim miller left an inheritance that was evaluated at about 1500 *zolta* in 1776.⁶⁴ Bakers did not do as well as millers, but at the above regular range of 20% profit they seem to have been reasonably well compensated for their difficult working conditions: a baker bought himself a house in the Bab Hitta neighborhood for 65 *ghirsh* in 1739. In 1751 another baker did not leave many belongings behind him, but his inheritance contained two houses. At the turn of the same century another baker left a variety of assets (including several firearms) that were assessed at 345 *zolta*. If we bear in mind the barefoot bakers described in Jerusalem of the 16th century, we may indeed conclude that they had come a long way.⁶⁵

4. *Extractors of sesame oil* (mi'ṣarānī)

The *kayyāl bāshī* was quite frequently referred to in the preceding chapter because of his involvement in the earlier stages of bread supply. Although measuring the wheat and barley that came to town was his most important responsibility *vis-à-vis* its inhabitants and the *waqf* authorities, it was not his only task; he was also in charge of the measuring of sesame brought there. This commodity was imported by the *jallāba* merchants mentioned earlier, and it served as the raw material for the extraction of *sayraj* or *shayraj* oil, a major element in the daily diet of the local inhabitants, and also used for illumination.

The extraction of sesame oil was performed in special oil presses (*ma'ṣara*) by members of the guild of *mi'ṣarānī* (pl. *ma'āṣira*). Throughout the 17th century this was a highly active guild: more than 20 appointments of new (sometimes renewed) heads of the guild were recorded, an average of two per decade. Although many followed in the footsteps of their fathers, some came from other sectors: sons of two different "heads of the market" (*shaykh al-sūq*) in the twenties and seventies, sons of two different upholsterers (*munajjid*) in the twenties and eighties, two sons of "beaters" of cloth to be bleached (*daqqāq*) in the second and fourth decades. These (and other exam-

⁶⁴ JS, vol. 233, p. 210; vol. 229, p. 38; vol. 257, p. 16.

⁶⁵ JS, vol. 230, p. 130; vol. 237, p. 12; vol. 260, p. 172; Cohen, *Economic Life*, p. 103.

ples of regular guild members, e.g. sons of a *muḥtasib*) indicate an impressive degree of economic and social attraction that this guild possessed for people outside its scope. Although the formal name-lists kept in the court suggest six to nine members altogether, a closer look at the 17th-century documents reveals that their actual number was almost twice as high, quite often including several members of the same family concurrently and/or over the years. They operated at least ten different oil presses located in various parts of town, either in separate buildings or in the basements of residential houses.⁶⁶

Sesame seeds were brought to Jerusalem by specialized *jallāba* merchants from Ramle, Nablus, and from Muzayrib, south of Damascus. The crucial point of supply was “the vacant lot of the grains” where they were measured by the *kayyāl bāshī* and his underlings, then sold to the *mīṣarānīs* for oil extraction. Not only were the guild members expected to bear the cost of measuring, but more important, all their purchases were made together, at a price set by the kadi or the *muḥtasib*, and through their head who later divided the consignments among them. This arrangement was sanctioned by the authorities so as to ensure both quality and price control. Precisely for this reason, and also so as to avoid payment of measuring charges, some of the guild members tried to buy directly from the importers, circumventing the “lot” with its inspection station. In 1685, for example, the kadi warned the entire guild against such practice: no transaction should be made without the measurers’ presence (not just the proper way to behave but also the righteous one, since most of the income of the measurers eventually went to the Temple Mount endowment). The kadi quoted a similar ruling to that effect, issued a decade earlier, and exposing an ongoing transgression of the *mīṣarānīs*, as well as pointing to the collusion of the porters—all of which activities were ordered to be stopped promptly. Other scattered references from earlier years indicate recurrent attempts to have the measuring performed surreptitiously, then bring the newly arrived consignments straight into the oil presses without even stopping at the grain-measuring lot, thus ensuring, as it were, a “private” supply of raw material without the knowledge or involvement of the guild members and their head.⁶⁷

The *mīṣarānīs*’ behavior stemmed from financial considerations of

⁶⁶ MA, vol. 2, pp. 165-79, 192-5; JS, vol. 211, p. 117; vol. 278, p. 23.

⁶⁷ MA, vol. 2, pp. 196, 199-200.

an aggressive nature, but some of their responses were couched in predominantly defensive terms. They claimed that they had often been deceived by the importers even when they went through the official channels: they were sold sesame consignments that were mixed with chaff and dirt, thus adding substantially to the real price they paid, eventually causing them to lose money on their investment. When they went a step further and threatened that working under such conditions made them consider the possibility of discontinuing their profession altogether, the kadi was not the least dismayed. He told the guild members that since they were their own masters, their very acting as *mi'ṣarānīs* was a voluntary decision on their part—a role they were free to pursue or to quit. As to the practicalities, they were free to negotiate the particular conditions of every deal, and to insist on turning down any merchandise offered unless it be provided in a proper manner. Needless to say, no one quit his job.⁶⁸

All of these trials and tribulations aside, one should bear in mind that the main function of this guild was to supply the townspeople with an adequate quantity of sesame oil. This was not just a ready-made item to be offered for sale; they first had to have it extracted in their respective oil presses. The quality of the oil they provided reflected both proper workmanship and the kind of sesame seeds they used. Because the head of the guild had to implement equality in terms of both quantity and quality whenever seeds were sold to *mi'ṣarānīs*, the prices of the three different qualities of sesame seeds were set at a 5% differential. These, in turn, affected the price of the final product, but the price of sesame oil (and its main derivative, *ṭahīna*⁶⁹) was not left for them to decide; it was set by the kadi and made public in a court session attended by the *muḥtasib* as well as by the head of the guild and that of the merchants (*shaykh al-tujjār*). It was at the same session that the price of *sayraj* oil was officially set, to be applied until a change was announced at the same forum.⁷⁰

The price of sesame oil was set by the kadi, but his decision was not arbitrarily taken; it was based on the actual supply of seeds to the guild members. In the course of the 17th century, because of

⁶⁸ MA, vol. 2, p. 198.

⁶⁹ Although fairly well known to patrons of Middle Eastern restaurants and amateurs of Indian cuisine, this term may still call for an explanation: a thick sauce made of sesame oil, and served with salads, vegetables etc. (see H. Wehr, *A Dictionary of Modern Arabic*).

⁷⁰ MA, vol. 2, p. 196.

the shaky nature of the provincial administration in Syria and Palestine, as well as the deteriorating security conditions throughout the entire region, we witness substantial oscillations of sesame oil prices: 10 *qit'a* per *ratl* in 1606, 8.5 in 1609, 15 in 1627, 8 in 1630, 9 in 1642, 15 in 1660, 14 in 1667, 10.5 in 1668.⁷¹ The nature of the quantities supplied, however, was quite constant. These prices, too, were set by the authorities in response to what appears to have been an unchanging level of consumption in a town whose population remained more or less stable both numerically and in terms of its culinary habits. Since oil was stored in medium-sized clay jars (*jarra*) of 5 *ratl* each, the quota required of each *mīšarānī* was set in similar terms: an average of two to three jars to be sold daily to potential customers, totalling 20-25 per day in different years of the 17th century. The guild was thus providing the entire population with a daily 100-125 *ratl* of sesame oil sold at public sites where both price and quantity could be properly inspected: at the entrance to a certain bathhouse (*ḥammām al-ṣakhrā*) and “according to the old custom”, or at certain shops located in the main market (*al-sūq al-kabīr*) and at the Gate of the Cotton Merchants (*bāb al-qatṭānīn*). These shops were held by ordinary small merchants (*ṣammāns*, *sūqa*) whom the guild members had to provide daily with oil, coordinated, as it were, by the head merchant (*bāzār bāshī*). The latter ruling of the kadi went on to specifically ban any sales in their own oil presses, but two years later (1609) they were equally clearly told to sell “ample quantities... in their own places”. These changes in the general guidelines must have been induced by the changing conditions in the markets and particularly by the availability of oil in Jerusalem at a given time. However, the most natural places to sell their goods were their respective oil presses (where, for example, in 1656 the head of the guild was specifically entitled to sell its own quota of two jars, but also another three—amounting to 10% of the entire daily guild supply—that all other members had to provide him with).⁷² On close perusal of the available documentation one may conclude that except for special occasions, sesame oil *was* sold by the *mīšarānīs* at their own *māšaras*—which also served as outlets for their products. Although this commodity, unlike meat or bread, could be stored for an extended length of time without any damage to its quality, their role

⁷¹ MA, vol. 2, pp. 180-2, 196-7.

⁷² MA, vol. 2, pp. 183-5, 193-6.

in the local economy was conceived as identically mandatory: they had to pledge, and even vouch for one another, that they would keep their shops open daily, from morning to evening, where sesame oil would be sold at the official price to any bidder.

There was, however, an exception: although the terms applied whenever supply is discussed are “the townspeople” or “the town”, an occasional reference to “the Muslims” one may come across in these texts should not be construed as a religious or ethnic term, but rather as a manner of speech, meaning “the local population”. This is true both for this guild and in the context of others. However, when the kadi summoned the *mīšarānīs* and urged them to provide enough sesame oil to the local markets, he explicitly discriminated against the Christians and Jews there: they were only to be sold small quantities of 2-3 *uqyya*, never more than 1 *ratl* (of 12 *uqyyas*), and in order to avoid any misunderstanding, this commodity was never to be sold to them in the ordinary clay jars. Some 30 years later, in 1642, a somewhat different formulation was used: this oil was not to be sold “to the Christians and to the Jews for the[ir] churches”, and whenever this rule was broken the guild member in question would be liable to confiscation of his merchandise for the Temple Mount endowment—which makes this whole rather exceptional approach more understandable. Small-scale sales were aimed, by definition, at private consumption, hence they could and should be permitted to any person living in Jerusalem. Larger purchases were explicitly forbidden in this context because they could be used for general non-Muslim religious purposes, i.e. to light the houses of worship of these minority groups, something to be resented by the Muslims and prevented as far as possible. After all, Jerusalem was revered first and foremost for its Muslim holy sites, whereas the “protected people” were permitted to practice their own religion provided they refrained from any public display of their zeal; any such manifestation might be regarded as an affront by the Muslim religious authorities and was to be avoided.⁷³

⁷³ MA, vol. 2, pp. 185, 191. The latter category included the sounds of prayers at a volume that was heard outside their churches and synagogues, the public carrying of the cross or palm-tree branches in Christian holidays, or the wearing of their prayer shawls by the Jews outside their synagogues. Cf. my *Jewish Life*, pp. 79-83; my *On the Jewish Community of Jerusalem in the Sixteenth Century* (Jerusalem, 1976), documents nos. 2, 23, 25 (in Turkish); my “The Expulsion of the Franciscans from Mount Zion” in *Turcica, Revue d'études turques*, vol. 18 (1986), pp. 152-5.

The head of the guild, as we have seen in this chapter, enjoyed similar rights and obligations as the heads of other guilds. His responsibilities covered the full gamut from the purchase of raw material to the sale of the final products. He did not collect a salary for his toil, but was remunerated by receiving a special share of both raw materials and the final product from other guild members (as described above), and was also exempted from the regular provision of the governor's kitchen.⁷⁴

Unlike the guilds discussed earlier in this work, this one had another, built-in smaller guild within it—the guild of oil-press workers (*ṣunnā al-mā'āsir*). The “masters” had journeymen at their disposal who did the actual grinding for a salary, and the latter chose to be represented in all professional matters by a head of their own. Contrary to what we might have expected, the “masters” did not object, and actually their “head” took an active part in the kadi's appointment of their junior.⁷⁵ One would assume that with the passing of time the more experienced “workers” would reach the level of “master” and become equal members of the *mīšarī* guild, but even prior to that we can discern a much wider scope of their activities: in 1642, for example, one of them was warned by the kadi not to leave town on an errand to the verges of the Syrian desert (probably seeking to buy sesame seeds for his own or somebody else's account) without having nominated a replacement for himself at his job of extracting oil (*wala yu'attil maghliqahu fi šan'at al-ma'šara*).⁷⁶

The main features of the guild, as described in the preceding pages for the 17th century, remained basically unchanged in the century that followed. To ensure that the incoming sesame (as well as the oil extracted) were equally distributed, the head of the guild had to verify the measuring of the seeds by the “chief measurer” at his official station, using his official *kayl* receptacle. The kadi warned against any attempt to actually measure the merchandise at the oil presses by way of circumventing the inspection that the above routine traditionally provided. A new function was introduced to further verify that this routine was actually maintained: a “sesame scribe” (*kātib al-simsim*) was appointed by the kadi to faithfully record any transactions carried out in town in this commodity, yet another indica-

⁷⁴ MA, vol. 2, pp. 172-3.

⁷⁵ MA, vol. 2, p. 179.

⁷⁶ MA, vol. 2, p. 200.

tion of the guild's growing activity. Although the guild included members of the same families we encountered in earlier years, it was not a hermetically sealed circle. Thus, in September 1726 all active members undertook to keep their presses operative so that the town would get its supply of sesame oil; moreover, they agreed to welcome any new members if they pledged to join the group on a long-term basis, provided they were willing to share all their charges annually. In view of the fact that some ten different members were named at different points in the second half of the century, and slightly more at the beginning of the 19th, the guild does not seem to have undergone any major numerical changes.⁷⁷

In terms of its relative importance as a contributing source to the regular food basket of the time, sesame oil remained second only to meat and bread. Hence when, in 1728, the deputy governor was acquitted of all debts incurred for provisions supplied to his court and kitchen, three heads of guilds attested to it: the *qaṣṣāb bāshī* for meat, *ekmekjī bāshī* for bread, and *shaykh al-ma'āsiriyya* for olive and sesame oil. These commodities were not supplied gratis, and although the price charged for them was lower than the regular price, and quite often the guilds had to put up a fight in order to be reimbursed for the governor's promissory notes, these could not be regarded as taxes of any kind. From a later court decision, dated 1744, we learn that the sesame-oil extractors' guild was exempt from any impositions, regular or irregular (*al-maghārim wa't-takālīf a'sh-shāqqa*), except for one: the compulsory sale of two camels by the governor every year. This was done at a price he would arbitrarily set, and although it amounted to a mandatory imposition, the guild could sustain it. As of the preceding year the governor had tried to change the rules of the game by way of imposing the sale of six camels. This, they claimed, was a burden they could not afford, and would leave them no choice but to emigrate from Jerusalem. The kadi consulted a variety of merchants and other dignitaries, all of whom supported the guild's claim; thereupon he ruled in their favor and against the governor. This ruling shows, among others, that the guild had sufficient clout to oppose the governor and even force his hand in a matter of real financial relevance, a trend that did not abate until the early years of the 19th century. In 1812 the governor of Dam-

⁷⁷ JS, vol. 221, p. 152; vol. 222, p. 48; vol. 233, p. 22; vol. 241, p. 111; vol. 252, p. 85; vol. 258, p. 129; vol. 263, p. 34; vol. 290, p. 172.

ascus was involved in another tug-of-war in town: the grain measurers of Jerusalem demanded measuring fees for sesame that reached the oil presses from out of town, although it never came by the ‘lot of the grains’ nor was measured therein. The guild members refused to pay this, and presented an official ruling by an earlier kadi to the effect that no fees should be levied on any merchandise that was not measured at the bazaar. The governor confirmed their argument, ruled that such a policy was tantamount to a “negative novelty” (*bidʿa sayyiʿa*), and ordered his underling in Jerusalem to stop any such demands forthwith. Juxtaposed with earlier documents from the 17th and 18th centuries that took a diametrically opposite position, and compounded by the Damascus governor’s very unusual intervention in such an internal matter, this new policy can only be interpreted as an indication of the guild’s relative importance, which seems to have actually increased over the course of time.⁷⁸

The growing financial attraction of this guild in the 18th century may be gathered from a variety of indications. The head of the guild appointed in 1785 by a decree from Istanbul (rather than by the local kadi, who usually decided such cases) gave his position five years later to another member for the considerable sum of 10 *zolta*—an unprecedented move. In 1788 we learn of an actively functioning oil press that had been set up sometime earlier in that century outside the walls of Jerusalem, opposite the citadel—quite an unusual spot, with all the other oil presses, as well as shops associated with other guilds, being located in town and thus benefitting from the relative security offered by its walls. Sixteen years earlier, in 1772, a local businessman claimed to have invested 50% of a partnership of 600 *zolta* a year before, money they had invested in sesame. The oil they had extracted had brought them a handsome profit of 500 *zolta*, of which he claimed his half. Even if his assertion of a margin of 80% annual profit on that investment was somewhat exaggerated, it is still illustrative of the level of financial expectations that the extraction of sesame oil entailed. No wonder, then, that the inheritance of another very wealthy businessman, in 1787, also included a share in a partnership in a sesame-oil press. To top it all, we can look at the few available cases of *mīʿsarānī* inheritances, which are very instructive indeed: one of them, in 1724, included just one-third of an

⁷⁸ JS, vol. 224, p. 3; vol. 233, p. 83; vol. 297, p. 79.

oil press (implying a massive investment of other individuals), several houses, an olive grove, many debts that people owed—a grand total of over 2600 *ghirsh*. The other, in 1785, had even more: two wives (usually a certain indication of affluence), a large consignment of sesame, and an even larger one of sesame oil—totalling 4216 *zolta* (3162 *ghirsh*). Even more impressive was a third inheritance, in 1786, of a *mīṣarānī* who had the exceptional number of three wives, a long list of people who owed him money, a large consignment of oil—a total of 4778 *zolta* (3582 *ghirsh*).⁷⁹

As for the official prices of sesame oil in the 18th century, the following picture emerges: 30 *qit'a* per *ratl* in 1717, 24-27 in various months of 1719, 18 in 1720, 27 in 1722, 24 in 1723, 27 in 1750, 19 in 1751.⁸⁰ If we compare these figures with the data we presented for the 17th century, prices are almost double, an increase that is more or less steady in spite of the seasonal fluctuations. Here, too, in a manner similar to the picture that emerged in earlier chapters, this price rise was a direct outcome of the almost endemic difficulties of transport of goods—sesame included—throughout Palestine as part of the deteriorating security conditions, particularly during the first half of the 18th century. The Napoleonic wars in the Middle East around the turn of the century wreaked havoc in terms of normal life, and even when the French were expelled from Palestine, then from Egypt, the bedouin tribes living on the fringes of the sedentary populated areas were pushed further away by the centralizing policies of a self-confident Jezzar Pasha, thus making the supply of sesame to Jerusalem—in which they were systematically involved—scarcer than any time before. Sesame-oil prices in the early 19th century became substantially higher: in 1812, for example, a *ratl* reached 2.5 *ghirsh*; in 1815 it reached 3.5.⁸¹ Comparison of the latter with the prices of the first half of the 18th century reveals an increase of several hundred percent. This reflected a combination of more general factors, in addition to the particular one described above. On the one hand, the *ghirsh 'adadī* calculated earlier at the rate of 30 *qit'a miṣriyya* was now set at 40 *qit'a 'adadiyya* or *maṣārī fidḍa* each. On the other hand, this was part of a wider inflationary trend

⁷⁹ JS, vol. 220, p. 32; vol. 253, p. 202; vol. 265, p. 109; vol. 266, p. 70; vol. 268, pp. 59-60; vol. 269, p. 40; vol. 272, p. 9.

⁸⁰ JS, vol. 211, p. 179; vol. 215, pp. 140, 170, 204; vol. 227, p. 401; vol. 234, p. 261; vol. 237, p. 3.

⁸¹ JS, vol. 290, pp. 108, 172.

that pushed all prices up: “the [general] increase of prices” was formally acknowledged by the kadi as sufficient reason to reevaluate the expenses for orphans determined by an earlier court and set them at about 40% higher in one case, 33% in another.⁸² All of these combined serve as a reasonably satisfactory explanation for the tendency to increase the price of sesame oil.

5. *Sweetmeat producers* (ḥilwānī)

Sun-dried grapes served in the production of the traditional sweetmeat (Arabic: *ḥilwā*; Turkish: *helva*) by the guild that drew its name (*ḥilwānī*) therefrom. In the mid-17th century we count twelve members of the guild; later in the century the names changed, but the number was still about ten. As with other guilds, members of this one, too, were related to one another, and the tradition of sweetmeat production persevered in the same families from one generation to the next.

The guild’s affairs were conducted by its head, whose virtues—particularly his piety and God-fearing conduct (*min ahl al-dīn wa’l-diyāna*)—were extolled whenever he was up for tenure. However, his professional qualifications were at least as relevant whenever the question of appointment arose: the guild members would cite his “being well versed in the cooking of sweetmeat” as his most important credential when they requested the appointment of a new head to replace an incumbent who had just tendered his resignation. Once appointed, the guild members had to obey all his orders, while he, quite expectedly, undertook to treat all of them equally.⁸³

In the case of this guild, more than with others, particular attention had to be paid to the process of production and to the raw materials used. Although the best sweetmeat was made out of raisins (*zabīb*), other fruit was also occasionally used. The kadi’s warnings tell us how other ingredients were improperly used by guild members: generally speaking, locally produced “jam” (*rubb*), i.e. a thick paste concocted from different fruit, was employed instead of that made out of raisins; more specifically, the two most common substitutes were carob paste and *dumdumun*, a honeylike paste (*dibs*). These were made of the rather hard fruit of these two trees, which

⁸² JS, vol. 288, p. 124; vol. 298, p. 142 in 1806 and 1815, respectively. On the changing rate of exchange see: JS, vol. 209, p. 146 ; vol. 290, p. 75.

⁸³ MA, vol. 1, pp. 75-7.

was first crushed by a specially trained assistant “beater”/ “treader” (*darrās*), then cooked by the guild members. Since the price of raisin-made sweetmeat was set by the kadi at a relatively high level (e.g. 9 *qit‘a* per *ratl*), any cheaper substitute going by the same name would mean unfair competition and an unjustifiable high price for a low-quality product. Hence, the kadis made repeated warnings against this in different years. In the early years of the century, however, the use of *dumdumun* was not categorically forbidden: the head of the guild was instructed by the kadi to distribute this fruit equally among all members, one of whom was even personally warned against unlawfully stocking up—thus depriving his colleagues and pushing up the price. It may well have been a matter of the right proportions of raw materials to be used: as long as *dumdumun* constituted just one element (alongside others, e.g. *jawz* walnuts), its use was permissible, but only when guild members started producing sweetmeat predominantly of this ingredient was its use eventually banned.⁸⁴

In the 18th century we have indications of the guild being similarly active (it had both a head—*shaykh*—and an appointed assistant deputy—*naqīb*), and its products were sought after. Sweetmeat was one of the standard articles the governors were supplied with by the guild members. Among the latter we come across descendants of 17th-century *hikwānīs* still practicing the same profession that had been in their family through the ages. Moreover, late in 1729 the kadi reprimanded the head of the marketplace, as well as two *hikwānī* guild members, against a practice they were probably associated with: the unlawful production of sweetmeat by unauthorized and professionally unqualified individuals. As long as they did this without sharing all the responsibilities and financial liabilities of the guild, they could not be allowed to proceed. Whoever wanted to become a member was to share with all other members both the profits gained (*maghānim*) and the liabilities incurred (*maghārim*) by the guild as a whole.⁸⁵ Thirteen years later, several guild members complained to the kadi of a certain unassociated person who was selling sweetmeats of inferior quality for a cut price, whereupon the kadi had him come to court and pledge to abide by the price regulations and all other

⁸⁴ MA, vol. 1, pp. 75-6, 78-9.

⁸⁵ JS, vol. 207, p. 70; vol. 223, p. 153.

obligations of this guild—which he now entitled him to become a member of.⁸⁶

We should also mention the existence of yet another guild that produced other kinds of sweets, the guild of the *qaṭāʿifiyya*.⁸⁷ Their sweet pastry—e.g. *kunāfa*, *qaṭāʿif*, *zalābiyya*—called for somewhat different expertise than that of the sweetmeat producers. Hence these were separate individuals (in 1627, five names are listed), for whom the kadi appointed a special head. However, a degree of mobility between these two related guilds should not be ruled out.

6. *Coffee sellers* (*qahwajī*)

In 1633, when Sultan Murad IV officially banned public drinking of coffee throughout the empire, he was ineffectually trying to put an end to a habit and an institution by then rooted in most towns and cities under his rule. Jerusalem, much smaller in size and population than Istanbul or Cairo,⁸⁸ could hardly compete with the impressive number of coffeehouses frequented by their inhabitants. It could, however, equally qualify as a “café society”⁸⁹ in terms of the services offered there by members of the guild of café owners and coffee sellers (*qahwajī*). Unlike most other guilds this one was relatively new, and although by the early 17th century it had become part and parcel of the system, one could still discern (see below) signs of the uphill struggle conducted there to prevent, less than 50 years earlier, the introduction of this guild into Ottoman Jerusalem, so deeply imbued with Islamic tradition. Because of its exceptional nature it is relevant to check when the sale of coffee was first introduced into Ottoman Jerusalem, and the kind of reaction it generated within the local society.

⁸⁶ JS, vol. 232, p?,70.

⁸⁷ MA, vol. 2, p. 215. Atallah misread (or rather: he copied the original misspelling of the scribe) the name of this guild, which he erroneously rendered *al-wazāʿifiyya*.

⁸⁸ M. Tuchscherer, “Café et cafés dans l’Egypte ottomane (XVIe-XVIIIe siècles)” in H. Desmet-Grégoire (ed.), *Contributions au thème du et des Cafés dans les sociétés du Proche-Orient* (Aix-en-Provence, 1992, pp. 25-6; A. Saraçgil, “Generi voluttuari e Ragion di stato: politiche repressive del consumo di vino, caffè e tabacco nell’impero ottomano nei secc. XVI e XVII” in *Turcica*, vol. 28, p. 166, and a French preliminary version, “L’opposition au café dans l’empire ottoman” in F. Georgeon (coordinateur), *Le café et les cafés à Istanbul XVIe -XIXe siècles, Études turques et ottomanes, Documents de travail*, numéro 1 (Paris, mars 1992), p. 9.

⁸⁹ B. Lewis, *The Middle East: 2000 Years of History from the Rise of Christianity to the Present Day* (London, 1995), p. 8.

The earliest reference to the preparation and sale of coffee in Jerusalem is to be found in the *siḡill* registers towards the end of the rule of Suleiman the Magnificent.⁹⁰ In mid-1557 several prominent ‘*ulamā*’ “and many other Muslims’ came to the court and lodged a complaint against a certain *būzaḡī* and another *qahwaḡī*, i.e. people who sold coffee and *būza* (a slightly fermented drink made of farina)⁹¹ in their shops. The complaint goes on to detail the nature of their activities: the coffee is consumed publicly (*tajāhur*) in a manner similar to drinking wine, i.e. by passing around wine cups (*qadah*), while entertainment is provided by male singers accompanied by beating drums and lute (*tumbūr*) playing. Meat is also grilled on the premises for the customers. All of this activity is an illicit novelty (*bid’a*) that had been taking place for a relatively short time on the main street called *khaṡṡ Dā’ūd*, leading from the citadel to the Temple Mount: “These two introduced it, and this had not been a habit from ancient time until these very days; only they were the cause for it”. The two were summoned to the court, admitted the factual description of their deeds, and were explicitly forbidden from any further sale of their merchandise in Jerusalem.

Two years later we learn that this prohibition was actually enforced. Another *qahwaḡī* complained that the closing of his coffeeshop had caused him great financial loss; moreover, instead of the prospective contribution to the well-being of the local community, it had damaged those of its members who had lent him money to launch his business, who now found themselves devoid of their funds as well as their anticipated profits. Since it was not the actual consumption of coffee that was the reason for the prohibition but rather the improper public behavior it involved, he asked to be allowed to resume its sale to potential customers provided they refrained from drinking it at his shop. The inspectors sent by the kadi to visit the

⁹⁰ JS, vol. 35, p. 71, dated July 28, 1557. This coincided almost fully with the emergence of *kahvehanes* in Istanbul, dated by Peçevi “around 1555”, cited by Saraçgil in Georgeon, p. 7. The introduction of coffee beans to Damascus in 1540 also coincided, more or less, with the emergence of this public institution in Jerusalem (cf. R. Deguilhem, “Le café à Damas et le traité du šayḡ Ğamal al-Dīn al-Qāsimī al-Dimašqī” in *Bulletin d’etudes orientales*, vol. 45, 1993, IFEAD, Damascus, pp. 21,27).

⁹¹ Described as having “a sort of fizzy tingle imparted by the carbon dioxide produced during fermentation” (R. S. Hattox, *Coffee and Coffeeshouses*, Seattle, 1985, p. 123).

place reported that it was indeed very modest, and practically dark, whereupon the permission requested was granted. The kadi specifically warned the shopkeepers and operators against future undesirable activities such as passing around cups in a way reminiscent of wine drinking, as well as public singing and grilling meat, or any permissive behavior.⁹²

Within the short period of at most two years, two contradictory policies were instituted by the Shar‘i court, and the general trend that seems to have been emerging was that the establishment was gradually coming to terms—although still under certain conditions—with this unfamiliar type of public activity in Jerusalem. At first the Ottomans tried to put an end to this very new institution. Then they retreated and seemed inclined to grant a qualified permission for it. The new institution became increasingly tolerated, provided the promiscuous by-products associated with such gatherings were stopped. The religious (and social) yardstick of *bid‘a* was no longer applied in an attempt to summarily halt the launching of more coffeehouses in Jerusalem, and by 1565 at least five were functioning there. Towards the end of that year, a decree was sent from Istanbul to Jerusalem to the effect that all of them be discontinued and never reopened. The reasoning behind this ban was still to be sought in the socio-religious context, although the considerations were of a practical nature: not only did these coffeehouses cause people to neglect their five mandatory daily prayers, but they had actually become meeting places for all sorts of social misfits who spent night and day there, harming others as well as themselves.⁹³

The two contradictory policies were concurrently applied in Jerusalem; they seemed to demonstrate the difference between the principled “theoretical” approach of the centre and the “practical” compromise approved by high-ranking officials of the periphery. When the above decree reached Jerusalem, it was publicly read at a special session of the local court, and the kadi took steps to implement it by altogether ending the public preparation and sale of coffee in coffeehouses. Several months later, a certain Khalil Mishmish did

⁹² JS, vol. 37, p. 316.

⁹³ JS, vol. 47, p. 36; vol. 49, p. 98. This is, probably, a copy of a document also copied in the *mühimme defterleri*, vol. 5, cited by S. Faroqhi, “Coffee and Spices: Official Ottoman Reactions to Egyptian Trade in the Later Sixteenth Century” in *Wiener Zeitschrift für die Kunde des Morgenlands*, vol. 76, 1986, p. 89 (as cited in Tuchscherer, *op cit.*, p. 41, note 12).

not abide by the decree: he went on selling coffee at his establishment (located at the Khan al-Fahm market), which became increasingly popular (frequented, as described, by “group after group”), and all of the explicitly prohibited, reprehensible deeds were still regularly performed there. When brought to the court this *qahwajī* admitted that he had reopened his establishment, claiming that he had done so with the specific authorization, renewed every month, of the deputy governor of Jerusalem. Interestingly enough, it emerged that some of the patrons of his coffeeshop were quite respectable individuals: a rich merchant, a *hājī*, an expert member of another guild (*‘ustā*). No reference was made to this apparent conflict of authority, or rather authorities, and all the kadi could do was repeat the sultanic prohibitions. Moreover, this case was not an exception to the rule: sometime earlier a similar case had come before the court. Another coffeehouse operator admitted to being aware of the Sultan’s prohibition, which prompted him to prepare to move his very popular shop to the less venerated town of Nablus. When the *šūbāshī* of Jerusalem—the officer in charge of law and order—learned of this he gave him first verbal, then written assurance that he could continue his professional activity in Jerusalem unhampered.⁹⁴ The mundane reasons for this open-minded benevolence on the part of the local authorities can be readily understood.

The many references in the court proceedings of the 1570s and 1580s indicate that coffeehouses remained vital institutions in Jerusalem, constantly growing in respectability and popularity. Some of them eventually became parts of endowments, meaning that they were no longer regarded as marginal establishments that diverted people from the performance of their mandatory daily prayers, or as centres of corrupt activities that contravened Islamic law. However, the nature of their activities—other than regularly providing the townspeople with hot, fragrant coffee—did not change significantly. On August 22, 1591, a local dignitary requested the court to issue an injunction against the administrators of a certain endowment in the Bab al-Qattanin neighborhood. If they granted Musa al-Qahwati (who was already operating another coffeehouse, as his name indicates) the lease they had promised him so that he could transform the building in question into a coffeehouse, it might affect the quality of the dignitary’s life: “If this becomes a coffeehouse

⁹⁴ JS, vol. 49, pp. 148, 215, 622.

in close proximity to him, it will harm his wives and children and his family as a result of the introduction of singing and frequenting of the place by good-for-nothing men".⁹⁵ Having established the facts as reported, the kadi ruled that the accord they had reached on the above matter was null and void.

At approximately the same time, i.e. from the early 1590s onwards, we reach the final stage in the acceptance of coffeehouses: they became part of the guild system. *Tā'ifat al-qahwatiyya*, the guild of coffeemakers and coffee vendors, was led by a "head" (*shaykh*, lit.: "the elder of"), and when he stepped down, his brother was appointed by the kadi as the new head of the guild. This appointment was the result of a specific request and recommendation of other members of the guild. The kadi used this as an opportunity to warn against the sale of coffee left over in large clay pots (*quḍūr*) at their shops. In other words: no sweeping prohibition, but active involvement of the kadi in the orderly operation of the guild, verifying its professional standards and the quality of the services it offered to the public at large.⁹⁶ From then on, the duality of the approach described above ceased to be relevant. The Sublime Porte may still have thought differently of coffeehouses and their operators, but no further references to the *problematique* of this beverage were recorded.

Throughout the 17th and 18th centuries, the guild of coffeemakers and sellers functioned exactly like all other guilds. The kadi appointed the heads of the guild and repeatedly instructed them to treat all members equally; new coffeehouses were opened in different parts of town, the only condition being the provision of a "guarantor" (*kafīl*) who would vouch for the new *qahwājī* and his proper conduct; the price of a cup of coffee was fixed and made public by the kadi, who also instructed guild members about proper behaviour and the cleanliness of their respective shops.⁹⁷ Moreover, the kadi involved the head of the guild and its other members in his warning to all importers of coffee beans (*bunn*) that they would be held responsible for the regular supply of coffee to Jerusalem, to be sold for a fixed price at a particular shop in the *sūq al-tujjār* marketplace.⁹⁸

⁹⁵ JS, vol. 72, p. 376. On coffeehouses that constituted parts of endowments see: vol. 58, p. 336; vol. 62, p. 452; vol. 67, p. 159; vol. 69, pp. 43, 97; vol. 72, p. 265.

⁹⁶ JS, vol. 72, p. 61, dated April 11, 1590.

⁹⁷ See MA, vol. 2, pp. 144-7.

⁹⁸ MA, vol. 2, pp. 149-50.

The code of behavior at the coffeehouses was still a major concern of the kadi. In a summary of a court session attended by high-ranking religious and military dignitaries that took place in 1608, a long list is given of reprehensible acts (*munkar*) perpetrated in several Jerusalemite coffeeshops: “they bring in beardless youngsters to wait on them, they pass around the coffee cups, some of the morally corrupt (*fasaqa*) refuse to take them from the waiters unless they [first] take a sip from them; they bring different musical instruments like ‘*ud*, *kamanja*, *sanfir*, and they openly boast of doing all these reprehensible acts even during the times of prayer”.⁹⁹ Several of these patterns—unequivocally condemned by the kadi—are reminiscent of the descriptions of half a century before: mindless entertainment activities, interference with the mandatory daily prayers. The first part of the description, replete with sexual innuendos, deserves elaboration. The general atmosphere of debauchery permeating the coffeehouses, as intimated by the vocabulary used earlier by the kadi, reaches quite explicit heights here. The former references to the idle, aimless passing of time in the shop, the serving of the new drink in wine cups, were naturally seen as hinting at the prohibition of wine drinking in Islam, to be similarly applied to this new beverage. In several 16th-century references in our sources, the drinking of wine is very clearly related to sodomy (*talwīt*, *liwāṭ*),¹⁰⁰ of which one inevitably thinks when reading the above description.

True, there were no women present in coffeehouses of Ottoman Jerusalem (as was the case in cafés of other towns of the Ottoman Empire, termed “Pôles de sociabilité masculine... c’est un périmètre où les femmes n’ont pas accès”).¹⁰¹ In our case even the sex of the singers and musicians could be identified with certainty as male, by virtue of the Arabic grammar. However, in a segregated society such as the one we are dealing with, a young boy serving coffee (as frequently portrayed in miniatures)¹⁰² could readily become a sex sym-

⁹⁹ MA, vol. 2, pp. 146-7. For similar observations on liberties taken with these young people in Cairo coffeehouses in the early 17th century see: Tuchscherer, p. 48, note 139.

¹⁰⁰ JS, vol. 37, p. 316; vol. 39, p. 118. Even the use of the Arabic verb *jama’a* in the context of the above-mentioned early descriptions of coffeehouses in Jerusalem may have been deliberately meant to convey certain sexual undertones. On the negative connotation of “passing around of the cup” see Hattox, pp. 117-9.

¹⁰¹ H. Desmet-Grégoire in her introduction (pp. 20-1) to H. Desmet-Grégoire & F. Georgeon (eds.), *Cafés d’Orient revisités* (CNRS editions, Paris, 1997).

¹⁰² Cf. A. Marcus, *op cit.*, figure 5.2 following p. 176.

bol, and the circumstances described above may easily be interpreted as leading to quite explicit acts of fondling and sexual harassment. A few other references in the *siġill* to such beardless youngsters, whose presence in the coffeeshops was resented by their neighbors as well as criticized by the kadi, indicate that even in later years these practices continued.¹⁰³

The introduction of coffee drinking to Jerusalem may thus be viewed from a variety of perspectives. It was regarded as religiously sinful,¹⁰⁴ socially harmful, and morally abject. Although the new beverage, which had no intoxicating effect, was a far cry from the forbidden wine, it bore suggestions of it: the very gathering in a public place outside of one's home brought to people's minds the tavern; the receptacles used were called wine cups until several decades went by and a particular term, *finġān*, became commonplace; the custom of sitting idly day and night, the passing around of these cups, were also pointed out, though no particular reference was made to the drinks consumed; and the mingling with young boys in such rather dark and crowded places offered almost ideal conditions for pederastic procurement. It was, therefore, the nature of the gathering, the establishments where coffee was publicly sold and sipped, rather than the beverage itself, that the kadi tried to counteract. No objection was made to the drinking of coffee as such, and this, in turn, was also conducive to the full incorporation of the new institution into the town.

Then there were reasons linked to the very special nature of Jerusalem. On the one hand, this was one of the most venerated religious centres of Islam, where reprehensible activities were regarded as more evil than elsewhere. On the other hand, in this walled town the gates were locked after sunset, and no one was supposed to leave home until the following morning. The coffeehouse, which functioned day and night, was more than a possible hideout for a variety of outcasts and potential criminals (hence after a burglary the authorities would seek the suspects there). It became increasingly popular among ordinary people as well, thus enabling Muslims of all kinds to spend time there, giving vent to social needs and desires in the evenings

¹⁰³ MA, vol. 2, pp. 145-6.

¹⁰⁴ Although it was introduced to the Arabic-speaking world by members of Sufi brotherhoods and was closely associated, almost physically, with mosques (see H. Desmet-Grégoire, *op cit.*, pp. 16-18; R. Deguilhem, *op cit.*, pp. 21, 26-9).

without actually breaking the law by wandering in the streets. The growing popularity of coffeehouses increased the income of their operators; hence the steady rise in the rent they were willing to pay as early as the late 16th century. This was in sharp contrast to the case of the above-mentioned *buza* shops and shopkeepers, who do not reappear in our sources after the early prohibitions of the 16th century; it seems that what mattered here was not the “stolen water” syndrome, but rather the changing preferences of the human palate. In the 18th century, with the growing popularity of tobacco, a new activity was added to the coffeehouse: smoking. Inheritance lists recorded in the court proceedings show that *qahwajī* households included not only a variety of cups, pots and trays but also several *argīle* water pipes. As we know from descriptions of similar places in neighboring Egypt, opium may have been added to these otherwise innocuous water pipes in Jerusalem, as had been the case in Cairo.¹⁰⁵

The picture emerging from the 18th century tells us of a more basic change that was gradually taking shape during those years: the growing importance of coffeehouses. They (and related shops) pop up in all Jerusalem neighborhoods,¹⁰⁶ usually in close proximity to other shops, but also on the ground floors of otherwise ordinary living quarters. In quite a number of cases such establishments could be found in markets (*sūq*, *khān*), where a large turnout of customers gave the coffeehouses ever greater popularity.¹⁰⁷ Because of the growing demand for coffee, several basements were turned into sites for the roasting of coffee beans (*maḥmas*), which were sometimes even prepared there before being sold to private or commercial customers.¹⁰⁸ In other cases, some shops used for other purposes were now turned into coffeeshops, for which guild members were willing to pay a higher rent.¹⁰⁹ Moreover, although some coffeeshops paid an annual rent similar to that remitted by members of other guilds (10-15

¹⁰⁵ JS, vol. 49, pp. 98, 532; vol. 76, p. 257. For inheritance lists of coffeehouse utensils that included several *argīle* water pipes in 1785-1790 see: JS, vol. 265, p. 85; vol. 266, p. 45; vol. 267, p. 53; vol. 272, p. 35. For descriptions of coffeehouses in Cairo including the smoking of opium see: Tuchscherer, pp. , 36-7.

¹⁰⁶ As was the case in mid-17th-century descriptions of Cairo (Tuchscherer, p. 25).

¹⁰⁷ Cf. Tuchscherer, p. 38.

¹⁰⁸ JS, vol. 217, pp. 132, 225; vol. 218, p. 340; vol. 261, p. 50; vol. 275, p. 97; vol. 307, p. 64.

¹⁰⁹ JS, vol. 248, p. 103; vol. 298, p. 100.

*zolta*¹¹⁰ silver coins annually), in a growing number of cases encountered from the 1750s on, much higher rents, or prices, were regularly paid by *qahwajīs*.¹¹¹ Since inheritance lists of guild members invariably show that their economic situation was rather modest,¹¹² the main reason for these higher payments could only have been a growing demand.

The guild of coffeemakers and vendors was neither affluent nor large: the above description, cited from a 1608 *sijill*, mentions seven different names that are referred to as “[all? A.C.] the *qahwajīs* of the day in Jerusalem”. This number may have grown somewhat in later years, but the aggregate figure of active coffeehouse references scattered through the court records of 18th-century Jerusalem still seems to be of only one digit, perhaps just slightly more. Guild members operated one coffeehouse each, but the actual size and general structure of these shops underwent significant changes. Over the years, the small, dimly lit Arabic *qahwas* or Turkish *kahvehanes* became larger; windows were cut into their formerly blank walls; and at least in one case we come across a very impressive structure that is conceptually new. From a deal concluded in March, 1839, we learn of the sale (for the princely sum of 2550 *ghirsh* !) of a two-story coffeehouse in the Bab al-‘Amud neighborhood, its roof covered with four domes, its upper floor flooded with light flowing through six windows, both floors well endowed with a variety of professional trappings.¹¹³ This was not a brand-new building, but rather a much improved version that had been upgraded earlier, in the 18th century.

Murad IV’s sultanlic ban on coffeehouses from the year 1633 seems to have had very little effect in Jerusalem: by the time it was announced, public drinking of coffee had become an integral part of

¹¹⁰ Cf. “*zolota*” in A. C. Barbier de Meynard, *Dictionnaire Turc-Français*, vol. 2 (reprint of the 1886 Paris edition, Amsterdam, 1971), pp. 50-51.

¹¹¹ For example: 150 *zolta* paid for less than 10% of a coffeehouse and its basement (JS, vol. 260, p. 102); an identical sum paid for half a coffeehouse in another neighborhood (JS, vol. 264, p. 23); an annual rent of 30 *zolta* paid for yet another coffeehouse (JS, vol. 276, pp. 111-2); approximately 5% of a coffeehouse sold for 300 *zolta*, three times as much as was paid for a similar part of an adjacent barbershop (JS, vol. 277, p. 168).

¹¹² For example: the *muhr* paid by a *qahwajī* who married the daughter of an expert tailor was a modest 60 *ghirsh* (JS, vol. 223, p. 327). For inheritance lists of members of this guild see: JS, vol. 225, p. 145; vol. 266, p. 45, pp. 176-7; vol. 267, p. 53; vol. 272, pp. 35-6; vol. 286, p. 58.

¹¹³ JS, vol. 322, pp. 277-9.

the socio-economic reality, and as long as this did not change, the once marginal institution and the guild members who served it acquired and maintained centrality.

B. Municipal services

7. *Water carriers* (saqqā')

The waterbags (*qirab*) referred to above were regularly purchased in bulk by the agents of the central administration for the provision of the annual caravan to Mecca and Medina, or for special occasions when large-scale military operations were planned. In daily life they were seen throughout the entire town as the professional tools of the water carriers' guild. Although every house in Jerusalem had cisterns that stored rain water collected during the winter, the only naturally flowing water came out of the Silwan fountainhead that was quite close to town, but outside its walls, i.e. at a spot that was fairly remote from all the residential areas. Provision of water for replenishment of the cisterns and for the regular private consumption of the local population during the long, hot summer days, as well as for the production of certain vital commodities (e.g. daily bread), was a major service that the local authorities were expected to extend to all town dwellers.

The guild of the water carriers (*saqqā'*) was entrusted to ensure the uninterrupted supply of water to everyone in town. Although it did not require as much training or knowledge as most of the other guilds discussed in this work, perhaps for this very reason a relatively large number of members participated in its daily routine. In the second decade of the 17th century we identified at least 25 of them, and in later years, when more than 15 were summoned to court "along with the rest of the guild", their number could not have been much different. They were headed by a *shaykh* appointed by the kadi, and rather exceptionally also called *muqaddam*, i.e. foreman. For inexplicable reasons, twice in the early part of the century, the nomination session was attended, in addition to the guild members, by a certain master (*ustā*) *muhtār* (Turkish: *mehter*)¹¹⁴ who took an active role

¹¹⁴ This term, which usually referred in Ottoman texts to musicians of different kinds, also meant "attendant of the baggage, tents etc.", and in another compound was related to the escorts of the annual caravan of pilgrims to Mecca (Redhouse, q.v.). These activities made his presence at the above session quite natural. If

in it. Quite a number among them were members of the same family, and another element of continuity was provided by the *naqīb* of the guild, an assistant who stayed on when any head was replaced by another. When a new appointment was made, it was the candidate's "full knowledge" of his profession that was praised in a variety of superlatives; before being appointed he pledged, as usual, to treat all members equally. The latter, on the same occasion, had to pledge to fully obey any instructions he might issue.¹¹⁵

Water had to be supplied to the local population in the course of every day, but not before sunrise or after sunset, i.e. not during the night. Since it was meant to provide for every resident as a private consumer, guild members were not allowed to distribute water to public institutions such as bathhouses or shops (*maghāliq*). This restriction, issued at the very beginning of the century (1601), stood to reason: less than 50 years after the reconstruction and renewal of the water supply system to all public facilities in Jerusalem, it was expected to function properly, and therefore it did not need to be added to by the guild—an addition that would bring about an unjustified rise in the demand for water.

The other part of the kadi's order sounds less logical: the water carriers should provide neither the Jews nor the Christians with water. In the context of Ottoman Jerusalem, where the local population was regarded as a single unit of consumers, without any imposed quotas or binding distinctions among the different ethnic and religious groups, such a prohibition sounds out of tune.

In seeking an explanation we should turn to another warning, issued by another kadi in 1623. Muslim witnesses reported to the kadi that the water carriers were selling water to coffeehouses and grinding mills in town, as well as to the Jews and the Christians. They drew this water from the cisterns of the Temple Mount, to the point that they almost dried up during the hot days of mid-August. Members of the public could only resort to the "pomegranate" cistern (*bīr al-rummāna*), located on the Dome of the Rock esplanade (*ṣaḥn*). The quantity of water left there might still provide for the traditional believers' pre-prayer ablution (*wuḍū'*), as well as serve as a source for the needy ("widows and orphans"). All Muslims could help them-

however, we apply the more usual meaning, i.e. a musician, his presence may well be related to the musical instruments (most probably cymbals) played by the water carriers to announce their presence to the local residents at home.

¹¹⁵ MA, vol. 1, pp. 199-203.

selves to its water, therefore, on condition that they use small receptacles (*al-ibrīq wa'l-jarra's-ṣaghīra*), and do so only for their own private consumption. This regulation was made public in order to enable the largest possible number of potential users to avail themselves of this source, hence it naturally—and specifically—ruled out any drawing of water therefrom by guild members. If, however, a guild member were to try to fill his waterbag (*qirba*) from this or any other Temple Mount cistern, he would be subjected to severe beating and other punishment meted out by the authorities.¹¹⁶ In other words, the local authorities were very attentive to the needs of the inhabitants, particularly towards the end of the summer when the available water became scarce. However, this ruling excluded Jews and Christians, who were not allowed on the Temple Mount. In order to make water accessible to them, too, they probably commissioned members of the guild to bring it from the cisterns on the Dome of the Rock esplanade. Whereas water was free for those who helped themselves to it on the Mount, the minorities (and all other public facilities mentioned above) were willing to pay for it. From a Muslim perspective this introduced an element of unfair competition: when the water carriers took out large, “commercial” quantities, they actually increased the demand for water and limited its supply. To set the record straight, the authorities issued what clearly looked like a discriminatory regulation—not so much against the interests of these relatively small groups, but rather to safeguard those of the Muslim majority. After all, this was a Muslim state, and even by modern criteria the government’s first and foremost responsibility was to tend to the needs and interests of the majority of its people.

For very many years there was no mention of this discriminatory policy with respect to the supply of water to Jews and Christians—either in the *siyill* descriptions of the local reality or in the complaints sent to Istanbul—and one would tend to assume that the above complaint, though repeated twice within 20 years, was an exception to the rule. Then, more than 150 years later, in November 1796, we find a decree sent to Jerusalem by the governor of Damascus. It has been brought to his attention that water carriers sell water they draw from the Temple Mount cisterns to the Christians and Jews in town. This behavior should be stopped immediately, since this water is meant to serve only the Muslim scholars who sojourn

¹¹⁶ MA, vol. 1, pp. 203-4.

(*mujāwirūn*) at al-Aqsa mosque—or more generally to provide for the needy Muslims of Jerusalem. The governor of Jerusalem, along with the dignitaries of town, should see to it that this order is fully complied with: if anyone persists in such unlawful behavior, he should be severely punished, and jailed for an extended period. Moreover, those who buy the water should also be appropriately punished.¹¹⁷ These three different formulations of the same policy mean that we cannot regard it as an exception. The recurrence of similar accusations against this guild after so many years makes them sound much more substantial than just a kadi's passing whim. Moreover, the involvement of the Damascus provincial authorities this time adds unusual weight to these claims—both administratively and historically. This was no longer a local issue; it was upgraded and became sufficiently important to involve the provincial authorities of Damascus. In a way, this policy is reminiscent of the limitations on Jewish slaughtering in the 16th century: although stemming from purely economic competition, they were couched in religious terms.¹¹⁸ Here, too, we have an attempt to bring an end to a practice that put the potential Muslim consumers at a disadvantage *vis-à-vis* the Christians and the Jews, invariably using religious considerations and terms. It should also be noted that the Damascus decree covers several other issues, mostly Muslim ones, aimed at safeguarding the Muslim character of Jerusalem and its holy sites. For the Ottoman authorities as well as for their Muslim subjects this religious context had a most authentic sound, but in terms of substance, just as important were economic considerations—i.e. restraining the scope of activities and the range of profit making of the water carriers' guild.

The cisterns of the Temple Mount were a special case in the above context. Other than that, members of this guild had to regularly attend to the supply of water to public facilities in town from the same cisterns. Generally speaking, this was the responsibility of the guild, but in particular terms, specific water carriers were assigned to specific spots, for which job they were remunerated on a daily basis. In 1719, for example, a certain Isma'il *al-saqqa'* was put in charge of the daily supply of water to the fountain (*sabīl*) near the mosque of the North Africans (*al-maghāriba*), to be drawn from the

¹¹⁷ JS, vol. 278. pp. 50-1.

¹¹⁸ See my *Jewish Life*, pp. 149-150. See also: A. Raymond, "al-saqqa'in fi'l-Qahira", in *Al-Majalla*, no. 18 (Cairo, October 1966), pp. 36-45.

Temple Mount reservoirs; for this he was allotted a daily stipend of 2 *qit'a mişriyya*. In 1720, the head of the guild was entrusted with the regular filling of the fountain at the gate of the citadel, his daily salary to be paid from the permanent income of a house in the al-Sharaf neighborhood that had been endowed particularly for that purpose. In 1729, another water carrier was appointed to attend to two fountains—that of the Dome of the Rock and that of “the throne” (*kursi*) of Sulayman, for which duties he was allocated 30 loaves of bread daily from the soup kitchen of Khasseki Sultan.¹¹⁹

The added value of water sold, even if combined with these steady salaries, could not have amounted to huge sums of money. One would therefore think of water carrying as a profession with a low economic profile. However, several cases we encountered in our registers call for a revision of this general impression. In 1726 a water carrier bought a small part of a house in Bab Hitta neighborhood for 12.5 *ghirsh*; in 1790 another member of the guild bought half a building in the same neighborhood for 35 *ghirsh*; in 1803, upon the death of a water carrier, his heirs inherited a two-story house he had owned.¹²⁰ These and similar episodes convey a better economic image: their relatively low rate of income notwithstanding, members of this guild could save enough money to buy and own real estate, and even bequeath it to their offspring. This was a result of their being part of the guild: constituting a part of the entire economic setup of Jerusalem, they had their duties but also enjoyed certain privileges—particularly the exclusive right to sell water to the entire population all year round. Consequently, they could rely on a reasonably steady income for their immediate subsistence, and for the acquisition of some additional assets.

8. *Bathhouse janitors* (ḥammāmī)

The supply of drinking water (to individual consumers as well as to producers of certain commodities), and its use for ablution, referred to so far, were the two most important services provided to the population in this context. There was, however, a third one, offered

¹¹⁹ JS, vol. 215, p. 14; vol. 217, p. 41; vol. 222, p. 90. On “the throne of Solomon” see G. Le Strange, *Palestine under the Moslems* (Beirut, Khayats reprints, 1965), pp. 164-9, 177.

¹²⁰ JS, vol. 221, p. 168; vol. 272, p. 28; vol. 285, p. 49.

as a general service by the local authorities—that of public bathhouses (*ḥammām*).¹²¹

At the beginning of the 17th century there were four major bathhouses in Jerusalem: *ḥammām al-sultān*, *ḥammām al-‘ayn*, *ḥammām al-batrak* and *ḥammām al-shifā*. Each of them was located in a different neighborhood and was leased to a different member of the guild of bathhouse janitors. Since the janitor had to be knowledgeable in his work, he usually was a “master” (*mu‘allim*, *ustā*), and was helped in carrying out his functions by journeymen and technical assistants (*ṣāni‘*, *mudawlib li’l-ḥammāmā*). To ensure proper service, the kadi had each guild member vouch for a colleague, undertaking to have him appear in court whenever summoned. The guild, however, also included other professionals—the barbers (*ḥallāq*)—as equal members whose services were initially available to the public in the bathhouses, though some of them by now operated separate shops in town. Each of the two components of the guild definitely required an element of specialization in the ways they performed their duties, but the guild as such contained all the members without any distinction. In the 17th century, the guild would quite often be referred to as that “of [both] janitors and barbers”. The cumulative figure for guild members, therefore, was significantly higher than one expected, given the limited number of bathhouses available. In 1624, for example, their list reached 16 entries; in 1673, 12 different names were listed.¹²² There is no way for us to tell who among them was a barber and who a bathhouse janitor, but there is one indication of a certain mobility between the two groups. Thus, in 1665 eight “barbers” requested, and received, the kadi’s approval to appoint a person whose alias was “the son of the bathhouse janitor” as head of the barbers. Some of the above group were listed several days later as “bathhouse janitors”, and since these terms recur in the relevant documents more than once, we may assume an element of interchangeability.¹²³ There must also have been women attendants catering to the female customers, but unfortunately we did not come

¹²¹ See my “Local Trade, International Trade and Government Involvement in Jerusalem during the Early Ottoman Period” in *Asian and African Studies* (henceforth: *AAS*), vol. 12, no.1 (Jerusalem 1978), p. 6 and note 4. See also Cohen and Lewis, *Population and Revenues*, pp. 69, 96-7, 104. Cf. A. Raymond, “Les bains publics au Caire à la fin du XVIIIe siècle” in *Annales Islamologiques* 18, pp. 129-150.

¹²² MA, vol. 1, pp. 86-9.

¹²³ MA, vol. 1, pp. 88-9.

across any reference to them in our sources.

Conceptually, the head of the guild was no different from his peers in other guilds. Equality among all members was supposed to be his guiding principle, but he was also expected to draw professional distinctions among their various ranks and categories. He was usually nominated by the local kadi, but at times a request reached Istanbul and resulted in an official appointment (*berāt*) issued there. He was to be knowledgeable about the professional needs and possibilities of both elements this guild contained, and was remunerated for his services with a stipend (*waz̄ifa*). No lease of any bathhouse could become valid unless the head of the guild was present and gave his consent, approving the candidate's qualifications. In the first decade of the 17th century there seems to have existed a certain link, perhaps even amounting to an administrative dimension or responsibility, between the guild and Shams al-Din, the *mehter başı* (Arabic: *muhtār bāshī*). On several occasions the kadi issued instructions to the guild members as to how they should run their bathhouses. Whether these were new or just a reminder of already existing regulations, they were not issued through the intermediary of a guild head but rather in the presence, and with the active participation of, the above Shams al-Din. First, all lessors of bathhouses were warned against any increase of entrance fees, whether directly or through a sublet. Second, they were to issue all their Muslim customers clean towels—large and grey for bathing, small and white for drying up. Third, they had to keep all bathhouses permanently clean and properly heated, and no technical staff (laborer—*ṣānīʿ*, provider of fuel matter and igniter of the furnace—*waqqād*) should be appointed thereto without the particular permission of the said Shams al-Din.¹²⁴ About 50 years later, one of these warnings was repeated in an even more specific manner: no guild member was to charge any woman seeking to enter the bathhouse more than the regular 1 *qiṭʿa*, a recent precaution relayed to them through a certain “master” Mahmud, the *muhtār bāshī* of the day. Although in earlier, as well as in later years, the kadi formally appointed a head of the guild, there were

¹²⁴ MA, vol. 1, pp. 90-3. The production and supply of towels made of specific material and particular colors was regarded as yet another element prescribed by the kadi in the presence of the *muhtār* of Jerusalem. It was also stated that the size of the towels should be standardized, 3 Istanbul *dhirāʿ* by 1.75 Istanbul *dhirāʿ* for the large, 2.5 Istanbul *dhirāʿ* by 2 Damascene *dhirāʿ* for the small ones. Cf. W. Hinz, *Islamische Masse und Gewichte* (Leiden, 1955), pp. 54-64.

times when another functionary, himself not a member of it, served as the crucial link between the authorities and this guild. The recurrence of this indicates that it was not a personal but rather a functional matter. As his title indicates, a person in charge of the musicians, who probably entertained the customers either before or after they took their bath, was closely associated with the running of the bathhouses, and was considered reliable enough to be entrusted with relaying to them the wishes as well as the concerns of the ruler in lieu of a regular head of the guild.

Of the two professional components that made up this guild, most public attention went to the bathhouse janitors and the conduct of their business. Being a barber, on the other hand, seems to have been a much more straightforward, perhaps even simpler occupation. As in other guilds, the “masters” employed and trained younger candidates, but after a time had no more binding authority over them: when, in one case, an apprentice barber reached the age of adulthood and expressed his wish to quit and move on, the kadi had to intervene and make it clear that he was entitled to leave and serve anyone else he chose.¹²⁵ A court case dated 1687 sheds considerable light on the barbers and their public image. One Khalil the Barber aroused widespread public criticism, expressed through an exceptionally large number of dignitaries who came to the court to voice their grievances against him. They complained that the barber’s shop, which was located across from the Shar’i court, had become a source of ongoing gossip and public discomfort. Because of its proximity to the court, the barber and his customers were well informed about everything that took place within its walls, which information they spread widely in town. The greatest damage they caused was to the Muslim women who passed by this shop on their way to the court, and whom the barber and his customers would eye shamelessly and embarrass on all occasions. The kadi was thus requested to impose a mandatory closure on this barber’s shop and prohibit other members of the guild from reopening it in the future. The kadi obliged, had the shop closed, and its keys returned to its owner, while the barber moved all his tools to another location.¹²⁶

The 18th century witnessed several problems of a technical nature related to the water supply of the bathhouses (see below), oth-

¹²⁵ MA, vol. 1, p. 94.

¹²⁶ MA, vol. 1, pp. 95-6.

ers that concerned the Jews and the Christians, as well as working conditions in those installations. A decree sent by the governor to the kadi in June 1716 confirmed the basic concept of opening hours, i.e. mornings allocated for men, afternoons for women. However, the bathing of all the women together was improper—Jewish and Christian ladies should be separated from the Muslims, and should use the premises only on Wednesdays.¹²⁷ Thirty years later, while all guild members acceded to the kadi's insistence on the opening of the bathhouses in accordance with a certain ruling for daily use by men, no further reference was made to women, probably because the above decree was being heeded.¹²⁸

At the beginning of December 1760, a group of Muslim dignitaries requested the court to issue a ban on the use by the Jews of a ritual bath (*matbal*) they had been operating within al-'Ayn bathhouse. The kadi agreed, and had it eliminated. Two months later, on February 7, 1761, another group of local Muslim personages reported that as a result of a rather broad interpretation of this order, similar ritual baths had also been eliminated in other bathhouses. Since unlike the first one, these were neither recent nor was it reported that they hurt the feelings of the Muslims, the zeal displayed in the demands for their destruction was exaggerated. The kadi obliged, and granted the ruling requested for the ritual bath in al-Batrak bathhouse, located in the Christian neighborhood, as well as the one in al-Sakhra bathhouse in the Jewish neighborhood: both should be immediately restored, never to be tampered with in the future.¹²⁹

In neither case was any reference made to the janitors' guild; their responsibility was the proper running of the bathhouses, not the legal status of any part of their buildings. However, this legal-structural problem was dealt with in an attempt to placate the Muslim population, while also enabling members of the religious minorities to conduct their traditional rites. As seen earlier in the context of the water carriers, the privileges of the Muslims were always to be honored and maintained first; only then would the sanitary needs of the "protected people" be attended to.

¹²⁷ JS, vol. 210, p. 86. This brings to mind an earlier (16th century) discriminatory policy against the Jews in the Jerusalem bathhouses, see my *Jewish Life*, p. 73, p. 239 note 2 (for the Ottoman Turkish original see my *Ottoman Documents*, pp. 83-4).

¹²⁸ JS, vol. 234, p. 266.

¹²⁹ JS, vol. 243, p. 261; vol. 244, p. 65.

This does not mean that the high-activity profile projected by the guild of bathhouse janitors was diminished. Towards the end of 1724, five of them, the lessors of the five main bathhouses in town, came to the court along with some 30 of their staff, guards and journeymen (*nāṭur*, *ṣānī*, *mukhaddam*). The latter complained that their “masters” imposed on them duties they had never before been responsible for: they had them wash the towels of all their customers, Muslim and non-Muslim alike, then forced them to buy soap, as well as olive oil (for massaging their customers)—and turned all of these into regular sources of income, i.e. *tekālīf-i ṣāqqa* taxes. All of these—except for the customary buying of olive oil for the bathhouse customers by the guard—were unauthorized and reprehensible innovations (*bid‘a sayyi’a*). The staff members produced a legal opinion of the Jerusalem *mufṭī* stating that all payments made by the customers for services rendered in the bathhouse were discretionary and the “master” lessors were not supposed to interfere or demand any share in them.¹³⁰ The unusually large number of contenders present at the court conveys the impression of a widespread practice, rather than the exceptional misconduct of an individual. The attempts to encroach on the established rights of the working class reflect a growing demand for the services they offered at the bathhouses, which enabled the “masters” to exact illegal impositions under the threat of expulsion from their work. We could not, unfortunately, establish the exact reasons for this new development: was it a result of a growing number of applicants for the jobs of attendants, or of a growing demand for the services of the “masters” owing to a certain upsurge in the number of customers?

Other indications of the growing pressure on the lease of bathhouses (which may have been related to the general inflation that the Ottoman economy underwent in the 18th century) may be gathered from the court proceedings of March 1737. A group of members of the janitors’ guild competed in court as to the rent to be paid for the lease of al-Sakhra bathhouse. Those who finally won undertook to pay a daily sum of 22 *qiṭ’a* silver coins, i.e. 22 *zolta* per month, to be remitted to the endowment at the beginning of each month. If, for any reason, the lessor would not be in a position to honor his lease, he would nevertheless be held liable to pay for the entire year. Moreover, the lessor also pledged to have doors and other architect-

¹³⁰ JS, vol. 220, pp. 7-8. The bathhouses referred to were al-‘Ayn, al-Shifa, al-Sultan, al-Sayyida Maryam and al-Batraq.

tural elements there repaired out of his own resources. A few days later, another guild member leased two other bathhouses, adding 10% to the rent formerly agreed upon (a daily 110 *qit'a* for the entire al-Shifa and 50% of al-ʿAyn)—thus confirming the same trend for much more active, and lucrative, bathhouses in other parts of town.¹³¹

These instances in fact signalled the existence of a general curve, so to speak, that was valid in other parts of the century and for different bathhouses. The guild member who leased al-Shifa bathhouse in 1718, for example, agreed to pay an increase of 10% over what his predecessor paid; the lessors of al-Sultan bathhouse paid even more for their lease. Four years later a sum of 24 *ghirsh* was paid by a guild member (and his military partner) as a substantial down payment towards further expenses on refurbishing the same bathhouse of al-Sultan.¹³² The increase of these and similar remittances means that the lessors were hoping to collect even more from their customers. This may have been linked to a growing demand for their services as a result of a rising standard of living, but it was affected even more by the difficulties in the supply of water to the network. The diminishing quantities of water arriving in town during the 18th century were a direct result of the deteriorating security conditions along the aqueduct that provided Jerusalem with water from its distant source, south of Bethlehem. Consequently, guild members reported water-supply problems, even reaching the point of shutting down an occasional bathhouse.¹³³ Other problems stemmed from poor maintenance and a variety of natural causes (earthquakes, torrential rains) that brought about serious disruptions. In order to reactivate the al-Sultan bathhouse, described as being “in ruins”, in 1734 its lessor had to invest some 300 *ghirsh* on repairs and refurbishing. The following year two bathhouses could hardly function because of water shortages, and they resumed their normal functioning only after a massive input of money and work by the town’s chief builder (*miʿmār bāshī*). In 1760 a breakdown of the heating system occurred in another bathhouse, its repair estimated at about 400 *zolta*.¹³⁴ Needless to say, in these and other cases the res-

¹³¹ JS, vol. 228, pp. 262, 265.

¹³² JS, vol. 213, pp. 20-1; vol. 215, p. 144.

¹³³ JS, vol. 215, p. 205. On the responsibility of the villagers of Bethlehem and Bayt Jala to maintain the aqueduct see: JS, vol. 235, p. 366; on other aspects see vol. 235, pp. 340, 344; vol. 214, p. 246.

¹³⁴ JS, vol. 227, pp. 130, 264; vol. 244, p. 99.

toration had to be fully financed from the income of these bathhouses. All of these notwithstanding, the profit made on these leases was sufficiently large to enable them to absorb the unexpected expenses and still leave the guild members with a handsome revenue. In 1766, for example, when a partnership that had leased al-ʿAyn and al-Batrak bathhouses was dissolved after one year of operation, the janitors involved could split a net profit of 230 *zolta*, plus another 100 worth of equipment accumulated there.¹³⁵

The barbers, equal members of this guild, were similarly well-provided, as may be gleaned from some of their inheritances: in 1752 a deceased barber left an inheritance estimated at more than 100 *zolta*; another, who died in 1776, owned livestock, a house in al-Maghariba neighborhood and many other items estimated at 638 *zolta*; in 1784 a barber's inheritance included the house he owned in Bab Hitta neighborhood, totalling 250 *zolta*; in 1793 another inheritance came to 465 *zolta*, including a house at Bab Hitta and beehives in the neighboring al-ʿAzariyya village.¹³⁶ Membership in the guild, conferred or confirmed by the kadi primarily to ensure the supply of proper services to the population, carried with it not just functional responsibilities but also personal benefits that made it a lucrative attainment.

9. *Scavengers* (zabbāl, tarrāb, muʿazzil al-murtafaqāt)

Socially one of the less impressive groups of professions was that dealing with the cleaning of public facilities. Descriptions of the open sewage flowing in the polluted streets of Cairo, written by some of the French who accompanied Napoleon to Egypt in the late 18th century, impressed anyone who read them, and accorded with many similar travellers' reports about other Ottoman urban centres, Jerusalem included. All of these towns lacked a regular municipal authority or town council that we might expect to attend to such matters, while the provincial administration displayed steadily less

¹³⁵ JS, vol. 227, p. 317; vol. 250, p. 152. In 1724 a janitor bought the upper floor of a house for 130 *ghirsh*, and in 1742 a janitor sold half a house for 180 *zolta* (JS, vol. 220, p. 7; vol. 232, p. 63).

¹³⁶ JS, vol. 237, p. 263; vol. 258, p. 7; vol. 265, p. 12; vol. 266, p. 28; vol. 275, p. 28. For a variety of properties owned by barbers see also: vol. 211, p. 148; vol. 224, pp. 29, 48; vol. 237, p. 25; vol. 239, p. 104; vol. 242, p. 124. It is worth pointing out that some of the barbershops were located either next to a bathhouse or in close proximity to a coffeehouse.

and less genuine interest in the well-being or health conditions of the population.

Against such a backdrop one could easily arrive at negative conclusions about the nature of public life, where no municipal services were to be sought or found. However, we have seen so far that in a town like Jerusalem water supply was an important problem that was addressed by the local kadi, with the financial and administrative backing of Istanbul. Likewise, the town generated all sorts of garbage, and its disposal was attended to by this same representative of the state apparatus through the local machinery of the guild system.¹³⁷

In the 17th century there was already an element of specialization in this sphere: Jerusalem had a guild of *zabbāṭīn* and another one of *tarrābīn*. The former, as its name indicates, was in charge of cleaning the garbage from private houses and their immediate surroundings. About ten different garbage cleaners were identified at the beginning of the century, and their professional activity was, as with the bathhouse janitors, coordinated by Shams al-Din, the *mehter başı*. They pledged to pursue their line of work the whole year round, both in the summer when the need for it was vitally felt, and in the winter when some of them tended to neglect their duties. The kadi warned them particularly against entering any residential premises, even if it were just a basement, to collect the garbage without first receiving the owner's specific permission. The guild members not only assented to this regulation but also had to vouch for one another, promising that they would fully abide by it.¹³⁸

In the 1620s and 1630s we encounter the other guild, the *tarrābīn*, whose name is a derivative from *turāb*, soil or dirt.¹³⁹ We have no indication of street-sweeping activities, as their name may have signified; it rather implies the removal of other granular substance—the residue of the olive oil and other chemicals used in the process of soap production. In 1639 the head of the guild undertook to treat all guild members equally “according to their old custom”, imply-

¹³⁷ For earlier references to this major contribution of the kadi to the regular attendance to certain hygienic standards of the town as well as to the well-being of its inhabitants see JS, vol. 35, p. 356 (1570); vol. 55, p. 535 (1573). For a Hebrew translation of these particular *siyūlls* see my *Jews in a Moslem Court* (in Hebrew) (Jerusalem, 1993), pp. 222, 227-8.

¹³⁸ MA, vol. 1, pp. 190-1.

¹³⁹ MA, vol. 1, pp. 54-5.

ing a well-established activity. Soap production was, indeed, an old tradition in Jerusalem, and the approximately 20 soap factories operating in town ever since the first Ottoman century must have discharged a substantial quantity of refuse.¹⁴⁰ The guild's responsibility was to remove it from the residential areas and even from the town walls, since dumping the soap-waste next to the walls of Jerusalem would have led to acid corrosion of the limestone. Moreover, when the court speaks of "removing the residue of the soap factories and other [institutions]" it implies the existence of additional sources, e.g. ashes from bathhouse furnaces. All this waste had to be disposed of far from town, and the accumulation near town of many decades' deposits eventually became quite distinctive in what was referred to in the 19th century as "the soap factories" mounds/heaps' (*tulūl al-maṣābīn*). At this stage, however, the authorities' main concern was to avoid dumping it in open spaces, where it might damage agricultural crops. In 1627, therefore, the kadi instructed the head of the guild to keep his colleagues from disposing of this refuse in vineyards and groves (*kurūm*), or in vegetable gardens (*hawākīr*) in the vicinity of Jerusalem. The surprising element comes at the very end of the kadi's instructions: "the refuse (*turāb*) should be dumped in its place and the garbage (*zibāla*) should be dumped in the garbage [disposal] place". The distinction was still valid in terms of the substance, but it seems that the members of this guild dealt with both. The absence of any reproachful comment as to this apparent transgression, combined with the lack of any further appearance in our sources of any *zabbāṭīn* either in this or in the following century, leads to one conclusion: sometime in the 17th century there seems to have been a fusion of these two complementary guilds, and that of the *tarrābīn* prevailed.

This guild continued to function regularly during the 18th century. In 1711 the kadi agreed to the request of several of its members to appoint Ahmad al-Jibali as their head, and instructed him to treat them all equally. Eight years later a certain Hasan was appointed to the same position, the guild being described as "those who remove the dirt and the garbage (*qimāmāt*)", yet another indication of the guild's new, amalgamated nature. In 1723, following complaints against the head of the guild for not implementing the mandatory equality among its members, the kadi appointed a new

¹⁴⁰ See my *Economic Life*, pp. 63-86.

one, ‘Awda al-Jibali. On this occasion we finally find definitive proof that this is “the guild of [both] the *tarrābīn* and the *zabbātīn*”. Then in 1728, upon the appointment of Shihada al-Jibali as head, light is shed on another feature of the guild: none of its members are to undertake the sweeping of the monasteries “and other” institutions without his specific authorization. The following year *al-ḥāj* Badr al-Jibali was appointed *shaykh*, and he pledged to treat all members equally in all that concerned the guild. Other heads were appointed in 1734 and 1745, and also bore the *nisba* title al-Jibali.¹⁴¹

In the early 1720s we are introduced to other people referred to as al-Jibali, only this time theirs is a different guild: “those who empty the latrines” (*al-murtafaqāt*). When the appointment was announced and the customary pledge to treat all guild members equally was made, the kadi warned the “al-Jibali group” (*tā’ifa*) that none among them may practice emptying these lavatories (*al-murtafaqāt wa’l-balā’āt*) without their head’s authorization.¹⁴²

The title “al-Jibali”, which we have seen so closely associated with these guilds in the 18th century, calls for special attention. In 1721 this group (*tā’ifa*) was referred to as having lived in Jerusalem for a long time, but still keeping their specific character. They are regarded as “very beneficial” to the town, importing (*jalb*) a variety of provisions (*dhakhā’ir wa-ghayruhā*) to it—which leads us to surmise contacts with other regions and an element of mobility.¹⁴³ Then, in September 1732, a decree was sent from the *vali* of Damascus to the governor of Jerusalem, summing up a sultanic injunction that had arrived from Istanbul. The Sublime Porte ordered back to their original places of abode (*awṭān*) the former inhabitants of the Gaza district who had moved into the Jerusalem and Nablus districts, and also into the town of Hebron. The *vali* of Damascus reports that during his tour of Palestine for the annual collection of taxes (*dawra*), he did actually relocate some of them. However, since there still remained in Jerusalem uninvited residents originally from the area of Gaza and Ramle, the governor of Jerusalem should immediately return them “to their places”. These subjects are referred to as “*jibāliya wa-ghayruhum*”—which is most helpful in solving the above problem. The “al-

¹⁴¹ JS, vol. 207, p. 50; vol. 214, p. 7; vol. 222, p. 113; vol. 223, p. 155; vol. 227, pp. 65, 178; vol. 233, p. 298.

¹⁴² JS, vol. 215, p. 9; vol. 217, p. 183.

¹⁴³ JS, vol. 217, p. 19.

Jibali” we encountered so often in the above guild had, actually, originated from the port of Gaza, probably from al-Jibaliya village, north of the town itself.¹⁴⁴ Sometime in the late 16th century and for reasons unknown, some families emigrated from there to Jerusalem, where they decided to stay. These Jibalis maintained close contacts with their former village and with Gaza its urban centre—hence their continuing contribution to the incoming trade to Jerusalem (e.g. rice arriving from Gaza); but the more incorporated they became into Jerusalem’s local network, the more they had to find themselves an economic niche of their own. The guilds that were in charge of public sanitation—a sector that could be of little attraction to any element among the deeply-rooted, regular inhabitants of Jerusalem—seem to have offered these newcomers (not unlike more recent examples we encounter in contemporary urban societies) a possible outlet that they seized in the 1620s and 1630s almost to the point of monopolization. Their integration was not easily accomplished, was probably even resented (once again ringing familiar bells) by certain elements in the local population, as reflected in the above decrees of the central as well as the provincial authorities. The above order to have them expelled does not remain in the general realm of a theoretical decree; it ends with a specific attempt to give it teeth: the Jerusalem governor will answer for any neglect, and pay an indemnity of 50 *ghirsh* for each Jibali who might remain in town.¹⁴⁵

As postscript to all this it should be noted that in keeping with the general decline of the Ottoman administration in the 18th century, this decree was not heeded. In later years we come across many references to Jibali inhabitants in Jerusalem, holding properties near Gaza and acquiring new ones in and around Jerusalem. They were still regarded as a separate category; then in 1759 we discover how this came about: many members of this “group” (*tā’ifa*) came to the court where they recounted how every year they had paid a certain amount of money to the governor in return for his support and protection. One of them claimed to be exempted from this imposition by a sultanic decree issued in 1745. In other words, the Jibalis did not remain in Jerusalem by default, but rather after having attained permission to do so from the administrative representatives of the central government.¹⁴⁶

¹⁴⁴ W.-D. Hütteroth and K. Abdulfattah, *Historical Geography of Palestine, Transjordan and Syria in the Late 16th Century* (Erlangen, 1977), p. 144.

¹⁴⁵ JS, vol. 225, p. 188.

¹⁴⁶ JS, vol. 233, p. 57; vol. 234, p. 40; vol. 243, p. 4. A court record from 1788

10. *Washers of the dead* (mughassilū 'l-amwāt)

Water was used not only for the living, but also for the dead. According to Muslim tradition the corpse must be washed, then shrouded, before it is buried and prayers are recited for it. In the 17th century this particular guild was quite active, exclusively attending to the washing and shrouding of the dead, headed by a *shaykh* who was well versed both in the teachings of the Shari'a and in the practical aspects of this occupation, including the collection of the dues they were entitled to for services rendered. The kadi was more directly involved in the conduct of their religious and social role, e.g. his insistence that they prepare the dead for burial just before noon or afternoon prayer, so that the burial would not affect the daily prayer schedule.¹⁴⁷

The same guild went on functioning along the same lines in the 18th century. In 1711, for example, eight of its members (some of them related to one another) came to the kadi and asked that he appoint a certain one of them as head of the guild. The kadi agreed, and their candidate was then appointed. Three years later, in February 1714, the kadi interfered in an attempt to redress a procedure that seemed to have encumbered their professional activities for quite a while. Relatives of the deceased, whether he was young or old, had first to address the court clerk in charge of the distribution of inheritances (*qassām*), and acquire from him a document confirming that the division among the heirs had been carried out according to the prescriptions of Islamic law. No guild member could initiate even the early stages of his routine unless presented with a written document to that effect. However, on certain occasions when no authoritative functionary could be reached at the court, the corpse was not attended to, let alone washed and shrouded, thus unnecessarily augmenting the bereaved family's grief. Moreover, some guild members, knowing the relatives' anxiety to have their dear ones buried as quickly as possible, took advantage of this opportunity to extort exorbitant payments. The kadi branded all these practices "illicit novelties" (*bid'a*), and ruled that they must cease. In such a situation

describes another annual payment the Jibalis living in Jerusalem had to pay a bedouin tribe residing on the Mediterranean coast, probably near Gaza (vol. 268, pp. 136-7). All these levies were no trifles, but were worthwhile to ensure the right to reside in Jerusalem.

¹⁴⁷ MA, vol. 2, pp. 201-3.

the washers of the dead had to assume their responsibilities without recourse to any written document, and were not free to decide upon their remuneration. The rate to be charged for washing and preparing the dead for burial had been fixed: 10 *qit'a* from the rich, 5 from the poor, and no charge at all from the very poor. These new instructions were announced by the public criers in town, and guild members were warned that if any of them charged a higher rate, they would be fined.¹⁴⁸

The washers, like members of other guilds, were men only. In this case, however, the need to show propriety and respect towards all the deceased made female participation incumbent. The above injunctions were addressed to a variety of people concerned, including one Alfiyya, a woman washer. In 1722 the head of the guild, along with several of his colleagues, presented the kadi with three different women who were allegedly most knowledgeable about washing deceased women. They asked him to permit them to apply their expertise formally as female members of the guild, provided they charged a fee identical to the one determined in the *sijill*. The request was granted, with a special proviso: no other woman would indulge in the washing of the deceased.¹⁴⁹ Only approved guild members were entitled to perform the functions conferred upon it.

11-12. *Undertakers* (*ḥammālū'l-mawtā*) and *diggers* (*ḥaffārūn*)

The guild of undertakers (*ḥammālū'l-mawtā*, lit.: “the carriers of the dead”), although separate from that of the washers, was very closely related to it, and some of their members interchanged.¹⁵⁰ This interaction was not just personal but structural as well. When, for example, two new heads were appointed for the undertakers’ guild in 1625, they were instructed by the kadi as to how they should run their affairs, which also included the washing of the deceased. The various official tariffs for the undertakers’ guild, prescribed by the kadi, include sundry payments to the washers, as if they shared the same guild.

Their major function, however, was the transportation of the dead

¹⁴⁸ JS, vol. 207, p. 60; vol. 209, p. 9.

¹⁴⁹ JS, vol. 217, p. 241.

¹⁵⁰ For example: Ya'qub son of Ya'qub, who in 1619 appeared on the name-list of undertakers, was appointed six years later as head of the washers' guild (MA, vol. 1, pp. 80-1; vol. 2, p. 201).

to their burial grounds. In 1619 there were four different such sites in Jerusalem, in conjunction with which the undertakers were entitled to levy a special charge: carrying the coffin to the more distant Ma'man Allah (now known as Mamilla) cemetery cost 5 *qit'a misriyya*, while carrying it to the three other cemeteries (Bab al-Rahma, al-Yusufiyya, al-Sahira) cost only 4.¹⁵¹ Twenty-five years later the rate was raised to 8 for the first and the last of these, 6 for the other two. The undertakers were also entitled to 1 *qit'a* for fetching the platform (*dikka*) on which the pre-burial washing was carried out, whereas no payment was authorized for conveying the coffin and the special cloth wrapping that covered it. In 1653 the actual carrying of the coffin cost 10 *qit'a* for a large *sahliyya* that four people had to carry, only 4 for the small one, the washing of the deceased came to 6, then 2 for whoever poured the water, and another 2 for the actual lowering of the body into the grave.

The head of the guild who collected all these charges was instructed by the kadi to divide them equally among the guild members, of which there were about ten (some of them fathers and sons, others brothers or cousins, most of them of Persian extraction, i.e. once again: foreigners from remote countries) in different years of the 17th century.¹⁵²

Another special guild was that of the grave-diggers (*haffārūn*), closely related to the others involved in burying the dead. On one occasion we encountered even a formal link between two of them: in 1626 a certain Da'ud al-Ramli was appointed head of the washers' guild, concurrently with his appointment as head of the diggers. This implies not only a degree of professional expertise in both fields, but also an authoritative position accepted by members of the two guilds—which was a *sine qua non* for properly discharging the responsibility that this double title carried with it. If we bear in mind the above instance of double responsibility for two other guilds, we reach a more general conclusion: the high degree of professional specialization

¹⁵¹ True, the cemetery of Ma'man Allah (commonly known as Mamilla) was, relatively speaking, somewhat farther away from the city gates than the other three, but this was not the only reason, perhaps not even the most important one, for the different rate charged. Mamilla was regarded as "the largest cemetery of [that] town", where many famous Muslim dignitaries had been buried over the ages (*cf.* Mujir al-Din, vol. 2, p. 64; for the other cemeteries see *ibid.*, pp. 63-5 and *passim*). For a detailed description of these cemeteries see: Kamel Asali, *Islamic Mausolea and Cemeteries in Jerusalem* (Amman, 1981) (in Arabic), pp. 117-45.

¹⁵² MA, vol. 1, pp. 82-5.

we witness in the realm of the dead did not rule out a significant degree of cooperation among the three guilds involved—a certain unity within diversity.

On one occasion this guild was referred to as “the diggers and the builders”, relating to the two main aspects of their craft. They first had to dig an appropriate grave, then build its supporting walls and cover, in one of the four conventional cemeteries for the Muslim inhabitants of Jerusalem. In the case of this town, so rich in history and historic relics, the kadi had to warn them to refrain from using old stones or old paving tiles.¹⁵³ The preparation of graves cost different prices at different spots: for using old graves a sum of 8 *qiṭʿa* at Mamilla cemetery, 5 at each of the other three; for digging a new one at Mamilla $1\frac{1}{3}$ *ghirsh* had to be paid, 1 *ghirsh* at the other places. To ensure proper standards, the person who commissioned the job had to be present while the grave was actually dug, along with the *shaykh* in charge of each cemetery. However, under no circumstances was an old grave to be recycled unless the old bones it contained had fully disintegrated.¹⁵⁴

The Jewish diggers were a special case. They, too, had to acquire a specific authorization from the kadi to practice their craft, although their permit applied only to the Jewish cemetery located near the village of Silwan just south of town. In 1649 a certain Hayyim the North African (*al-maghribī*) was appointed as the authorized Jewish digger, to the exclusion of any other person who might wish to dig graves in that cemetery. Four years later the heads of the Jewish community reported to the kadi that there was a substantial number of Jews who dug graves for their coreligionists, for which work they charged exorbitant sums of money. A certain member of their community, their report went on, was willing to save the abject and the needy among them all these expenses, offering to perform this service free of charge. The kadi acceded to their request, prohibited digging by anyone else, and issued a permit to the above Jew to perform this free service to his community. A year later the Sublime Porte was approached, then issued a document appointing two other Jews to be the only official diggers for their community. The kadi had it registered in the court records, and also prohibited anyone else from countermanding it.¹⁵⁵ This rather hectic pace of ap-

¹⁵³ MA, vol. 1, p. 69-70.

¹⁵⁴ MA, vol. 1, pp. 73-4.

¹⁵⁵ MA, vol. 1, pp. 71-3. On Jewish diggers in the 16th century see my *Jewish Life*, p. 88; *A World Within* (Philadelphia, 1994), vol. I, p. 87.

pointments for an apparently minor position indicates that, for the community involved, an authorized grave-digger was of much greater importance than we might otherwise surmise.

13. *Tourist guides* (dāllūn)

Jerusalem was not only rich in historic Islamic traditions; it also encompassed several sites that were held sacred by every Believer and generated a steady flow of Muslim visitors. The focus of all these was the Temple Mount, with the Dome of the Rock and al-Aqsa mosque. Some of the visitors preferred to stay there for an extended period, joining study circles of distinguished scholars; others came for a brief visit to these and related tourist attractions, either in the course of their travels or on their way back from the annual pilgrimage to Mecca and Medina. All of them were offered assistance and guidance by the members of the guild of the guides (*dāllūn*) "to the pilgrimage sites (*maqāmāt al-ziyāra*) at the Dome of the Rock and al-Aqsa mosque".

The guild had ten members, one of whom was the head; it was very zealous in guarding their vested interests. They apparently had ample reason to be anxious: in 1641 it was reported to the kadi that unauthorized guides were meeting the pilgrims outside Jerusalem's walls and showing them around the holy sites, their faulty knowledge notwithstanding. Moreover, other individuals were selling the visitors figurines made of clay, allegedly taken from the cave situated beneath the Dome of the Rock and representing historical figures—claims that were baseless factually and harmful financially. Thus the kadi instructed "stocky 'Abd al-Qadir", the head of the guild, to stop anyone who tried to behave in such unauthorized ways, and if necessary, bring them to the court where they would be punished. All guild members were to be equally treated by the head, but each guide was to be left alone to handle his own customers, without interference by others. The head was also to stop any sales of the kind just mentioned, as well as insist that each of the staff of the Temple Mount stay within his allocated area and address the visitors there, while refraining from showing them around other areas. However, if high-ranking individuals wished to visit these places, their tours should not be conducted by ordinary guild members; only handpicked top staff of the Temple Mount (the deputy *shaykh al-haram* and the deputy *nāzir*) could guide them there. And finally, no one

was to be allowed to intercept the pilgrims outside the town gates and monopolize them.¹⁵⁶

Another category of tourists, mentioned above in a different context, were the Christian pilgrims. These were not (nor the Jewish ones for that matter) allowed on the Temple Mount, and were probably guided to their respective holy and historical sites by local members of their own creed whose special role was based, among other things, on the fact that they spoke their language. However, these pilgrims undoubtedly attracted a variety of people willing to offer them their services for the right price. Allegedly sacred relics and other mementos—among them prayer beads and rosaries—were in demand by Christian visitors. In 1734, two local Christians who sold such rosaries complained of two other Christians who usually produced them. According to their complaint, these producers would carve all kinds of beads from camel bones, then sell them as well, thereby creating an unfair element of competition. The kadi supported their basic assumption, i.e. that each specialized craftsman should practice only his own profession; hence he summoned the accused to his court and, while sanctioning their role as producers of such items, prohibited them from interfering in the promotion and actual sale of such tourist mementos.¹⁵⁷

14. *Beauticians* (muzayyina, mumashshiṭa)

Active participation of women in the economically organized guild life was rather limited. Their involvement was primarily related to other women, as we have already seen in the context of washing corpses. Not less important, quite naturally, was attending to the beautification of the live female members of the congregation. This was done mainly for the occasion of marriage, when the services of professional beauticians were sought. As with any other profession, the women who were to take charge of cosmetics were appointed by the kadi. Judging by their names, they were quite advanced in age: the two beauticians confirmed in their job in 1657 bore the title *ḥājja*, i.e. both of them had been to the annual pilgrimage to Mecca and Medina, a religious duty not usually performed by young or recently wed women.

The main function of the beautician was to apply makeup (hence

¹⁵⁶ MA, vol. 1, pp. 138-9.

¹⁵⁷ JS, vol. 227, p. 175.

their name *muzayyina*) to the face and hands of the bride, as well as to those of her female relatives. Also important was to do their hair (*tamshūt*), and perform sundry services expected for the occasion. Other women might also perform these, if they were specifically authorized by the officially assigned beauticians, for which permit they very likely had to pay. On these happy occasions music was also played, hence the official “musician” (Turkish: *mehter*, Arabic: *muhtār*),¹⁵⁸ who was deeply involved in the event, was formally warned not to interfere in the beautician’s work, and not to take more than the customary 5 *qū‘a* silver coins for each wedding.¹⁵⁹ This was just a fraction of the regular payment on this occasion: in 1721, two sisters and a third woman, all referred to as “wedding ladies” (*farahīyya*), were instructed to pay 2 *sikka* gold coins for each of the three weddings they did not attend as assigned.¹⁶⁰

15. Physicians (ṭabīb, jarrāḥ)

The nature of most public institutions in Jerusalem was either commercial (markets, factories, shops) or religious (mosques, churches, synagogues). The latter ministered to the soul, but some attention also had to be paid to the human body when in need. The one (and only) hospital in Ottoman Jerusalem in the period under review was centrally located close to the main church, the Holy Sepulchre, as well as to some of the main markets, and was called *al-bīmāristān al-ṣalāḥī*. This was not a recent addition to the town, but as may be gathered from its name, it belonged to the endowment of Salah al-Din al-Ayyubi, going back to much earlier times.¹⁶¹ The Ottomans,

¹⁵⁸ We have not come across a guild of musicians, though a few references indicate their existence in Jerusalem. The *mehter* was probably in charge of the various forms of drum beating, used in order to make a variety of public announcements. His appointment, as well as his stipend, were decreed in Istanbul, although we may assume that he collected certain benefits from the guilds he was involved with, in addition to his daily remuneration financed by the Cave of the Patriarchs’ endowment (*simāt al-khalīl*). The main guilds he was associated with were the bathhouse operators, the public criers, the water sellers, the ‘ūd players and the beauticians. These were all professions that would attract public attention by one form or another of drum beating (*daqq al-ṭibl*), also regularly performed at the Jaffa gate after the ‘aṣr prayer, i.e. at dusk, by way of announcing the closing of the town gates (MA, vol. 2, pp. 243-6; JS, vol. 235, p. 21; vol. 262, p. 63; vol. 264, p. 19).

¹⁵⁹ MA, vol. 2, p. 163.

¹⁶⁰ JS, vol. 215, p. 78.

¹⁶¹ ‘Arif al-‘Arif, *Al-Mufaṣṣal fī ta’rīkh al-Quds* (Jerusalem, 1961), pp. 178-9; M.H.

however, took charge of the ongoing expenses; most important, they paid the salary of the physicians who practiced there.

The position of a surgeon (*jarrāh*) was financed by the poll-tax (*jizya*) payments levied annually from the Christians of Jerusalem. There were actually several physicians serving there concurrently: in 1605 “master” Ibrahim was appointed surgeon there, replacing his father who had just given up that position; in 1608 another surgeon, the *rayyis* (“chief”) Ahmad, took over from his grandfather, Muhammad the physician (*al-muṭabbib*), upon his death; on the very same day another *rayyis*, Musa the surgeon, was also appointed in the deceased Muhammad’s stead. Their different salaries (1, 12 and 6 *qit’a* daily, respectively) indicate different ranks and responsibilities of otherwise fully qualified doctors whom the kadi formally appointed; there may also have been a few more.¹⁶² To head all the physicians (including all those called *jarrāh*, *ṭabīb* and *ḥakīm*), the kadi appointed a head of the guild whom they had to consult on each case they treated, while he was instructed to conduct himself equally towards them all. When appointing the new head, the kadi extolled his professional qualities and distinguished medical career, stressing that he had reached the highest rank possible in the medical profession. This was an achievement based on competence. The kadi did not fail, however, to mention yet another relevant fact, i.e. the candidate’s origin: he was the son of the guild’s former head.¹⁶³ True, all of these attributes may have been interrelated, and his excellence may have been a direct result of the right kind of instruction received from his father, the old master. However, the very fact that he had been born into the right family seemed to be most relevant in this profession, more so than in other guilds.

The rank of “head” definitely brought much prestige with it, but the most important source of prestige was the professional expertise itself that had accumulated over earlier years. Thus, for example, in 1644 the master surgeon Muhi al-Din was consulted by the kadi on a matter of malpractice; he was then asked to perform another circumcision operation to relieve a suffering young patient. Only later was he appointed head of the guild, and the kadi ruled that no cir-

Burgoyne, *Mamluk Jerusalem*, (1987), pp. 62, 66, 299, 580; Mujir al-Din, vol. 2, pp. 47, 53; Asali, *Islamic Institutions*, pp. 294-7; MA, vol. 1, p. 26, note 1.

¹⁶² MA, vol. 1, pp. 26-8.

¹⁶³ MA, vol. 1, pp. 29-30.

cumcision was to be performed in Jerusalem without his explicit permission.¹⁶⁴

As one might expect in this rather delicate line of professional activity, the kadi's permission to practice medicine was always required. Moreover, when someone proved unworthy of the title, as occurred in the case just described, or in another earlier one, in 1602, it was the kadi who withdrew the right to practice medicine in the future.¹⁶⁵ There were also people who, though not guild members, did actually practice some sort of traditional medicine, and in sensitive moments involved the court in their business. Thus, in 1628 a peasant from neighboring Bayt Safafa village undertook to remove a cancerous tumor from the mouth of a desperate patient, the latter absolving him of any responsibility in case of a fatal accident. The kadi gave his approval to this rather exceptional agreement, to which all parties, including the immediate relatives of the patient, gave their unqualified consent.¹⁶⁶

The kadi was also regularly involved in the appointment of medical staff other than the physicians themselves. The Salahi hospital treated both physical and mental patients, and employed male nurses for the two different departments. Although a daily salary of 2 *qit'a* was paid for this job, it seems to have had its built-in difficulties. In 1602, for example, Musa the carpenter, who had also been employed as a male nurse, was dismissed because of his lengthy absence from town (seven consecutive years!). He was replaced by another part-time job seeker, Hasan the water-carrier, who was appointed by the kadi for the same salary. The following year this new recruit too decided to quit, and the kadi appointed a third person; when this one died some seven years later, the kadi appointed his son in his place.¹⁶⁷

The parameters described for the 17th century remained valid during the century that followed. The head physician and chief surgeon at the Salahi hospital were still appointed by the kadi, who, similar to the previous pattern, preferred to invest these powers and responsibilities with the descendants of a deceased holder of the same positions. Their salary, however, a daily 4 *qit'a* in the early 1720s and the late 1780s, was paid from the income of the Salahi endow-

¹⁶⁴ MA, vol. 1, pp. 28-9.

¹⁶⁵ MA, vol. 1, p. 30.

¹⁶⁶ MA, vol. 1, p. 33.

¹⁶⁷ MA, vol. 1, pp. 31-2.

ment.¹⁶⁸ Some of the Jerusalem doctors were Jewish, and therefore could not be on the payroll of the Muslim endowment or serve regularly on the hospital's staff. They treated patients privately, as did some Jewish women who were trained oculists (*kahhāla*). Judging by testimonies recorded in the Shar'ī court, their medical expertise was generally acknowledged and their practice was widely respected within the local community, irrespective of their religion or ethnic group. However, not unlike during later centuries, sometimes the medical treatment went wrong and relatives of the injured party sued them for malpractice. The potential bias against the accused Jewish party notwithstanding, the kadi addressed these cases with utmost caution, and did not hesitate on some occasions to fully support the medical personnel involved: in 1711 he exonerated a Jewish doctor blamed for a Muslim woman's miscarriage allegedly caused by a wrong concoction he had administered during her pregnancy; in 1784 a Muslim patient died as a result of a urological operation performed by a Jewish surgeon, but after serious consideration and advice obtained from expert witnesses the kadi rejected the accusation of malpractice brought against him by the family of the deceased; in 1760 a claim against a female Jewish oculist was dismissed when the Muslim dignitary who had complained of her alleged wrongdoing admitted that the treatment she gave him was not the cause of his eye problems.¹⁶⁹ Sometimes, as we learn from a court ruling dated 1719, the kadi even gave his full support to a Jewish doctor against the leadership of his own congregation: this person of modest resources and an advanced age was not to be subjected by them to any taxes or other impositions, as was clearly stated in a sultanic exemption he had been granted for the help and free treatment to be administered to needy Muslim patients—a worthy cause he had been involved in for many years.¹⁷⁰ Time and again the kadi emerges as the functionary who not only played an important technical role in the orderly running of the guild system but also, more generally and no less important, upheld the true interests of the community as a whole.

¹⁶⁸ JS, vol. 218, p. 136; vol. 269, p. 147.

¹⁶⁹ JS, vol. 207, p. 21; vol. 243, p. 274; vol. 265, p. 36.

¹⁷⁰ JS, vol. 214, p. 32.

16. *Veterinarians* (bayṭarī)

In an economy that resorted so often to the use of animals in the performance of the many duties described in this work, one could also expect to find professionals qualified to treat those animals when necessary. These were the veterinarians (*bayṭarī*), whose advice was sought on any matter concerning livestock.

Late in 1608, a donkey was at the centre of a dispute brought before the kadi. The plaintiff Muhammad accused Ahmad the defendant, from whom he had bought a donkey sometime earlier, of fraudulent behavior. A defect was discovered after the deal had been concluded, and since this was alleged to be an old blemish, the plaintiff insisted that the whole transaction be cancelled. The head (*muqaddam*) of the veterinarians, asked to submit a professional evaluation, testified that it was a new, recently emerged defect. This view was adopted by the kadi, who then ruled that the transaction was valid and binding.¹⁷¹

C. Leather goods

17. *Tanners* (dabbāgh)

In the chain of production of leather goods, the role of the tanners involved sights and odors that would impress modern bystanders as anything but pleasant—nor did people of the 17th century like them either.¹⁷² These manifestations, however, seem to have had little effect on their relative importance in Ottoman days. The first indication is one of sheer numbers: in the late 17th century, we come across lists of almost 40 different names of members of the guild.¹⁷³ This was the second largest guild numerically, a fact that must have had some relevance to the volume of its professional activities as well. Examining these names more carefully we discover not only the

¹⁷¹ MA, vol. 1, pp. 35-6.

¹⁷² A. Raymond, "Le déplacement des tanneries à Alep, au Caire et à Tunis à l'époque ottomane: un 'indicateur' de croissance urbaine" in P.-R. Baduel, (ed.), *Villes au Levant, hommage à André Raymond, Revue du Monde Musulman et de la Méditerranée*, no. 55/56 (Aix-en-Provence, 1990), pp. 34-5. On Ottoman tanners see also: Heide-Marie Doganalp Votzi, *Der Gerber, der Kulturbringer* (Frankfurt etc., Peter Lang Verlag, 1997). I would like to thank Suraiya Faroqhi for this reference.

¹⁷³ MA, vol. 1, pp. 141-4.

anticipated close family links indicating little mobility, but also a variety of other common denominators. Some show direct links to the military establishment (*zā'ims* or their sons, *böülükbāşıs*), others are followed by the name *al-bābā*. The latter, totally unrelated to the modern use of this Arabic word, immediately brings to mind the term *akhī bābā*. On one occasion, in 1677, the head of the guild was also known as *akhī bābā*, whereas ten years later, at the ceremony of the appointment of a new guild head, the *akhī bābā* (who by now was somebody else) was present. His authority overrode that of all heads of guilds, his own guild included, and it was applied primarily in cases where one authority clashed with another (as we shall see).

This guild also seems to have been well structured, and included a few subordinate functionaries who attended the ceremony and gave their consent to the new appointee: a scribe, a deputy (*naqīb*), and his lieutenant (*yığıt başı*). The head of the guild had to treat all members—mainly Muslims, and a few Christians—on an equal basis. The similarity of the style used reflects a pattern that is encountered in all other guilds (though for reasons of brevity we did not repeat this pattern in the descriptions): the choice of the head by his peers, whose recommendation was regularly adopted by the kadi; the latter's insistence on equality as the most important yardstick to be applied by the head in his relations with all guild members; the central role played by the head in the purchase of raw materials and their distribution among the guild members. The head was thus in charge of the purchase of raw sheep and goat hides from Jerusalem's butchers, and from other centres in Palestine as well: Hebron, Nablus, Gaza and Ramle. He was supposed to distribute these raw materials equally among all active members of the guild, unless anyone was out of town, in which case the absentee forfeited his right to "his" share. By the same token the *shaykh* was expected to see to the proper distribution of other necessary raw materials, such as chemicals they had to use (galls—*afas*, rather than the sumac leaves that were occasionally—and dishonestly—employed). Particular attention had to be paid to the different stages in the production process: hides should always come from slaughtered animals, the skins of those that had died a natural death should never be used, proper chemicals should be applied, and more generally "whenever they perform their tanning, they should do a good job".¹⁷⁴

¹⁷⁴ MA, vol. 1, p. 149.

One of the most efficient ways to ensure the proper inspection of the chain of production was to have all tanners function in one central location. Members who tried to evade this and work in their backyards were warned against doing so, and their continued practice of their craft was threatened by both the head of the guild and the kadi. However, we learn from a complaint lodged in 1602 by a Coptic tanner who had been functioning from a building in a residential neighborhood (*maḥallat al-naṣārā*) for four consecutive years, and was finally exposed by the owner of that building, also a tanner, who complained of damages to his property. More than 70 years later a Muslim tanner was similarly accused of turning his own house into a tannery, rather than working, as was expected of every guild member, at “their old place where they had traditionally been operating”. In these as well as other cases, all tanners, as indicated, were instructed to function only from the traditional tannery that was part of the endowment of the town hospital dedicated to Saladin (*al-bīmāristān al-ṣalāḥī*).¹⁷⁵ The latter was located in an open space within the walled town, close to the medical complex that bore its name; hence the immediate neighborhood became known as “the tannery” (*al-madbagha*).¹⁷⁶

The most important element in the tanners’ occupational equipment was water, of which relatively large quantities were needed for the various stages of production. To begin with, the processing of the hides called for large quantities of water, as well as sufficient space to spread the skins out. The best area available for this was the Kedron Valley, outside the walled town, where a fountainhead—the Pool of Siloam—had discharged a steady flow of water since biblical days. In the early decades of Ottoman rule this area was used by tanners;¹⁷⁷ subsequent stages were performed at the older, traditional tannery within the walls. Water seems to have been adequately available there too, until its supply became scarcer due to increased tanning. Also, diminishing quantities of water came to Jerusalem as a result of more general structural problems involving the aqueduct leading from Solomon’s Pools, some seven miles south of the town.

¹⁷⁵ MA, vol. 1, pp. 144-5, 147, 153. Not surprisingly, when major repairs in this medical complex were discussed, “the entire tanners’ guild” attended the court session (JS, vol. 232, pp. 111-2).

¹⁷⁶ JS, vol. 259, p. 226 (*al-māristān al-mashhūra bi’l-dabbāgha*). See also: Asali, *Islamic Institutions*, pp. 296-7.

¹⁷⁷ Cohen, *Economic Life*, p. 17.

The head of the guild rented a storage area (*hāṣil*) near the hospital's compound, where he probably kept the hides to improve their quality and to distribute them among the guild members. On October 10, 1603, he was told by the kadi to stop drawing water from that depot, "because this water was needed by the hospital for the sick and the imprisoned people [in it]". About a month later the same tanners were summoned to the court again, this time by the guild leadership. They claimed that this was a draconian regulation, since they actually needed the water for their own consumption, for washing their hands, as well as for ritual purification before the mandatory daily prayers. Once their protestation was confirmed by independent witnesses, the kadi authorized capping the cistern and installing in it a very small receptacle (*muḥallaba* in a small *khirza*) so that it might be used for the above-mentioned purposes by the tanners and by the hospital patients. It was specifically forbidden to use this water for the professional washing of the hides.¹⁷⁸

About a century later, on May 17, 1778, we learn of another development that took place in the Kedron Valley. For many years at an early stage of processing the sheepskins, the tanners had been washing the dirt from them. They did so in the large "pool of [the village of] Silwan" (*birkat silwān*) close to the source of the spring. This, however, polluted the water that the nearby villagers needed for their own consumption. The vali, Ahmad 'Izzat Pasha, hoping to redress a deteriorating situation, purchased a plot of land from one of the villagers where he had two new pools dug: a long one to provide for their own livestock as well as for the animals of visitors, and another, smaller one for the tanners' exclusive use. The latter undertook to refrain from using either the old pool or the new, long one, vowing that if any of their number broke this commitment, the kadi would automatically fine the culprit the high sum of 500 *ghirsh*; the latter would then be dismissed from the guild and banned from the profession. The main source of this ongoing grievance having been addressed, the kadi also warned members of another guild, the bleachers (*qaṣṣāra*), to refrain from bleaching their cloth or garments at the source of the fountain, known as *umm al-daraj*, threatening them with a similar penalty. Instead they were granted the right to use the old pool, formerly in the service of the tanners, for their professional washing process. A few days later, when it turned out that the

¹⁷⁸ MA, vol. 1, pp. 145-6.

pool now at the disposal of the tanners was not wide enough, the governor bought an adjacent plot from the local peasants and donated it to the tanners for enlarging the pool.¹⁷⁹

This entire project was undertaken with the explicit aim of improving the living conditions of the nearby villagers: although they had been benefitting from the traditional payments provided by the tanners for the use of their land, it seems that the increased washing activities caused them constant trouble. Hence they were present during the relevant court sessions, and vowed to persistently inspect the functioning of the entire complex of pools and report to the governor accordingly. The latter's involvement should be seen in the light of his interest not only in the people of the nearby village of Silwan, but in the circumstances of those living in Jerusalem itself. Providing tanners with new facilities outside the town walls meant improving living conditions in the residential areas within the walls—and this was as important a consideration as that of providing proper working conditions for the guild members. It followed the logic and practice applied in earlier years by the Jerusalem authorities in order to promote the activity of the tanners' guild without excessively depressing the existing quality of life of ordinary people and of other institutions in the town. Ottoman Jerusalem did not enjoy large water reservoirs, such as those in the vicinity of Cairo; hence one could not expect the tanners' workplace to be moved to a totally new area, as was indeed the case with the pond of al-Azbakiyya.¹⁸⁰ The project undertaken by Jerusalem's vali was of a similar nature: although dedicated by him to the almighty God as an act of religious piety, it was actually intended to meet the growing demand for the services provided by the tanners without adversely affecting the welfare of the public at large. It is in this context that his rather exceptional initiative of donating his own money and building new pools should be seen.

A sidelight becoming apparent from the above description was the tanners' interrelation with other guilds. At a certain stage in the process they separated the wool of the animals from their hides, and as confirmed by the guild of the wool-weavers, it was traditionally regarded as the tanners' responsibility to provide them with raw

¹⁷⁹ JS, vol. 259, pp. 112, 115-6, 120.

¹⁸⁰ A. Raymond, *Grandes villes arabes à l'époque ottomane* (Paris, 1985), pp. 60-61, 191. For a more elaborate discussion of the same problem see Raymond's article "Le déplacement des tanneries" in *Villes au Levant*, pp. 34-43.

wool.¹⁸¹ Another guild that regularly bought their commodities was that of producers of footwear (*al-bawābījīyya*, *al-sarāmjiyya*). The tanners were expected to provide them with good quality hides in sufficient quantities before selling any of their goods out of town.¹⁸² Then there was the close link to the guild of the cobblers (*asākifa*), with some of the tanners not only supplying the raw hides but actually practicing both crafts. Unlike the usual procedure that limited professional activity to only one guild, they were authorized to do so by the kadi.¹⁸³

Last but not least was the regular link the tanners maintained with the butchers' guild, which was their major source for raw sheepskins. In 1641 an important session was convened at the Jerusalem court, attended by the *akhī bābā*, the leadership of the tanners' guild (the head, his deputy—*naqīb*—and the guild's scribe) and that of the butchers. The latter complained that although it was customary for them to supply sheepskins requested by the tanners, without imposing quotas or prices, for some time the heads of the tanners' guild had been trying to centralize all purchases through them. When the kadi was satisfied that the facts corresponded to this description, he warned all present that sales should proceed along traditional lines of free trade, with everyone buying from whomever he pleased. This attempt of the resurgent guild to impose its will on the historically stronger butchers' guild failed. Some 35 years later, in the late 1670s, when there were other indications of increasing demand for their work, the tanners complained of the butchers' behavior: this time it was they who were rather negligent in keeping pace with the tanners' work. The kadi responded by summoning the butchers to his court and issuing a strict warning that they were not to sell sheepskins to any potential customer unless he was a member of the tanners' guild.¹⁸⁴ This was another sign of the growing power and relative importance of the tanners' guild, which only a century before had hardly existed; now they were imposing their will on both the butchers and the slaughterers, the older and traditionally more central guilds.

¹⁸¹ MA, vol. 1, p. 152.

¹⁸² MA, vol. 1, pp. 151-2, 195-6.

¹⁸³ MA, vol. 1, p. 150.

¹⁸⁴ MA, vol. 1, pp. 148-9; vol. 2, pp. 118-9. Cf. a reference in 1755 to "the old habit" of the butchers of Jerusalem to sell the tanners' guild all available *hawar*, i.e. bark-tanned sheepskins (JS, vol. 234, p. 190). See also: JS, vol. 238, p. 180.

Another indication of their growing weight may be gleaned from several late references to their increasing solvency: in 1760 a tanner's inheritance included half a house and other commodities, amounting to 241 *ghirsh*; in 1786 a tanner's widow's inheritance reached 450 *zolta*, out of a much larger inheritance, partly hides and water bags, partly buildings; in 1793 another tanner left an inheritance that was valued at 538 *zolta*; in 1801 a tanner whose wife was a tailor's daughter left an estimated 1670 *ghirsh*.¹⁸⁵

The growing relative importance of this guild in Jerusalem raises a much broader question: was the close relationship, possibly the intrinsic link, that existed between the holder of the office of *akhī bābā* and the most senior of the tanners only a Jerusalem phenomenon, or was it perceptible in other Syrian towns at that time? In mid-17th-century Damascus a certain *sayyid* Muhammad, son of *sayyid* Ahmad *al-bābā*, was dismissed by the kadi from the headship of the tanners' guild "because he had not [sufficient] knowledge of tanning matters... and he was [also] incapable of pursuing the matters of *al-bābāwīyya*".¹⁸⁶

Documents transcribed from the proceedings of the court of Tripoli in the second half of the 17th century add further depth and credibility to this presumed link.¹⁸⁷ When, in 1668, the tanners complained to the kadi of misconduct on the part of one of them, a court session was convened in the presence of the head of their guild as well as that of *al-sayyid* 'Ali, son of *al-sayyid* Jamal *al-bābā*.¹⁸⁸ Eleven years later we encounter the same person, who had been relieved of the position of *akhī bābā* sometime earlier, reinstated by the kadi upon the specific request of a variety of guild heads (and most conspicuously that of the tanners, who arrived accompanied by many members of his guild) in the same position, also referred to as "the *shaykh* of the seven [guilds]".¹⁸⁹ This reappointment involved the dismissal of another tanner who had been serving in the same capac-

¹⁸⁵ JS, vol. 244, p. 43; vol. 268, p. 108; vol. 275, p. 89; vol. 283, p. 70.

¹⁸⁶ Rafiq, *maẓāhir*, p. 165.

¹⁸⁷ Humsi, *op cit.*, documents nos. 23, 35, 48, dated 1668, 1679, 1686, respectively.

¹⁸⁸ *Ibid.*, pp. 267-9. Although no precise details are provided, this must have been a major case of criminal behavior, since the kadi sentenced him to death.

¹⁸⁹ *Ibid.*, pp. 305-7 (also copied in 'A. 'Imad, *al-sulṭa fī bilād al-shām fī'l-qam al-thāmin 'ashar*, Beirut, 1993, pp. 248-9). The other guilds were those of merchants, shoemakers, tailors, makers of trimmings, cobblers, barbers and bakers. These were a far cry from the "commercial aristocracy of Paris in 1625" termed as "the Six Corps (drapers, grocers, haberdashers, furriers, hosiers, goldsmiths)" (Braudel, *Capitalism*, p. 404).

ity of *akhī bābā* for some time, and it was justified on two grounds: first, traditionally the position of *akhī bābā* had been held by members of his family (“he ... and his father before him, and his grandfather”); second, he was of noble extraction—a descendent of the tribe of Quraysh (“as his grandfather [the prophet Muhammad] said: ‘Thou should give priority to a Qurayshi’”). This noble descent had been “truly established’ among all the other *ashrāf* (offspring of the Prophet); he was also praised for his even-handed treatment (“justly and equally”) of all tanners, devoid of all arrogance (“regarded himself as one of them”). There is no direct description of his role as *akhī bābā*, just an indication of a major element of it: whenever a dispute involving members of any guild arose, he would intervene and resolve it in a manner satisfactory to everyone and without charging the parties concerned a burdensome fee. The general air of proper behavior and desirable origin should not distort the down-to-earth, practical approach towards the nominee: he was appointed because of his long experience in the same job, as well as the fact that he was “befitting and suitable” for it, regardless of his occasional moral indiscretions (“he used to enter coffeehouses and consume opiates—*mukayyifāt*—therein”).

We would have expected the general nature of the *akhī bābā* position to apply to all guilds, a hope somewhat dashed by the reference to “the seven” (although the guilds enumerated in this case, his own included, actually came to eight). Some of them were intrinsically related to different lines of leather production, but others (e.g. bakers or tailors) seemed very remote from any direct link to the tanners or to their main line of activity. The query that arises upon reading this breakdown is meaningfully answered only when we read another report from Tripoli, dated in 1686. Heads of a long list of guilds were assembled at the court, where they put forward their proposed candidate for the position of *akhī bābā* for the kadi’s approval. The first among the ten individuals listed was the head of the tanners, who, unlike his peers, came accompanied by many ordinary members of his guild. Some of the other heads present were functionally identical with those mentioned a decade earlier. However, there were also other heads who represented different guilds: grocers, spice-dealers, weavers, blacksmiths, carpenters “and the rest of the heads and masters of the guilds”. In other words, the *akhī bābā* was first and foremost a distinguished tanner, but his authority was very broad, and he regulated matters pertaining to all guilds. In order

to qualify for the job he had to be devout and virtuous, a person who enjoyed the consensus of all guild heads. Most appealing on this occasion, therefore, was the candidate they put forward: a certain *sayyid* Ibrahim al-Baraka who was also the head of the Khalwati sufi order. Needless to say he got the job and was properly appointed by the local kadi. “The seven” were mentioned here, too, as having consented to the nomination, along with the heads of “the other professions”—in short, all of them.¹⁹⁰

Two main conclusions emerge from the *sijill* documents in regard to the structure and functioning of the guild system in general. First, as noted, the growing relative importance of the tanners in Jerusalem expressed itself not only in their relations with other professionally-linked guilds, but also in the choice of tanners for the prestigious position of *akhī bābā*. Although at this relatively early stage silver-smithing may have been regarded as the most important profession in it” (see below, p. 100), some of the tanners were already deemed sufficiently important (probably in financial terms) to qualify for this job. Second, this situation was not exclusive to Jerusalem. When these findings are juxtaposed with the realities of Tripoli and Damascus as portrayed in the court registers, it transpires that the tanners became of major importance in other major Syrian towns as well. The position of *akhī bābā* that could be identified there, too, overrode all other guild heads, and though there seems to have been nothing to preclude the choice of other professionals for it, in actuality it appears that quite regularly—at least up until the late 17th century—it was entrusted to members of the tanners’ guild only. This may be taken, among others, as an indication of their centrality in Jerusalem’s economy as a whole.

18. *Shoemakers* (al-bawābījiyya)

The tanners were the main suppliers of raw material (*hūr*, *sukhtyān*) for the shoemakers’ guild. Although its name indicates the production of slippers (*bābūj*), this guild produced a wide variety of footwear including *jazmāt*, *bawābīj* and *suyūrāt*; hence its other, less often used name—*sarāmjiyya*. Special designs were made for men, while others were reserved for women.

Quite an active guild, it had at least 20 members, both Muslims and Christians, and at one point (1691) more than half of the names

¹⁹⁰ *Ibid.*, pp. 346-7.

gleaned from the court documents are Christian. However, as far as we can gather from the available information, the head of the guild was always a Muslim. Quite regularly he would be called "master" (*ustā, ūstā, ustādh*); most interestingly, there were many guild members who qualified for this title (seven in the first quarter of the 17th century, six in the early 1680s). This seems to indicate a relatively high degree of professional proficiency.

The head of the guild was in charge of all matters of general interest pertaining to this field, including purchase of raw materials and sale of the finished products. He was also the official representative *vis-à-vis* the authorities. For example, in 1631 when the governor of Jerusalem required a substantial quantity of footwear for himself and the members of his entourage, the guild's head obliged; six months later he collected the amount due for the entire guild, himself included. He was appointed by the kadi upon recommendation of other guild members. Whenever his performance seemed unsatisfactory to the other members, they would seek his dismissal and then suggest a candidate to replace him. In the year 1629, for example, a large group of guild members complained to the kadi that this function had been left vacant for a while, as a result of which the guild had sustained substantial financial damages; thereupon the kadi appointed one of them for the job. On the other hand there were cases of an opposite nature: in 1602 a general warning was issued to all guild members to refrain from "any act of insubordination" to their head; journeymen, it was pointed out, should always obey their masters. Towards the end of that century (1691), the head of the guild complained that certain members, Christian and Muslim alike, for some time had been purchasing their raw materials without his knowledge or that of the "elders" of the guild. Moreover, since the culprits in question did not observe the standards set for the production of their goods, their final products were below standard, and on the whole "they did not obey either his words or his deeds". Thereupon the kadi repeated his warning that all such disobedient activity must cease, and the head of the guild must treat all members equally.

Other functionaries of the guild were its lieutenant (*yığıt başı*) and its workers' commissioner (*mu'arrif li'l-şunnā*). Both of them were also appointed by the kadi, upon the recommendation of other members, and they assisted the head of the guild in discharging his duty.¹⁹¹

¹⁹¹ MA, vol. 1, pp. 192-8; JS, vol. 269, p. 27.

Although the training of apprentices took place within the guild, it was the kadi who announced their graduation (undoubtedly after having passed the professional tests within the guild), and authorized a formerly dependent member of the guild as having attained proficiency in his craft and having received a new status of full independence.¹⁹² We have no direct information that products of this guild were exported outside of Jerusalem, but the growing economic and social development of the port of Jaffa, among other things, brought about the production of footwear there, at least part of which was for export. In the mid-1740s a Christian shoemaker from Jerusalem set up shop in Jaffa, in partnership with a local Christian; judging by the inventory compiled when they parted in 1750, theirs had been a very successful business venture.¹⁹³

For many years this guild was concentrated mainly in the covered cotton weavers' market (*sūq al-qattānīn*). A long, detailed *sijill* from the very beginning of 1782 tells the story of their departure from that venue. The name of this market remained unchanged, although it had become the shoemakers' workplace. The inhabitants of the neighborhood bordering on this market complained to the kadi of the sad state it had reached in subsequent years: the shoemakers had left their shops for some time, causing a deterioration of the entire market. Some of the shops had become dumping grounds strewn with garbage of all sorts, others were taken over by "the Egyptian beggars", who made the place very unpleasant and unsafe. Not only were people attacked there during the night; passersby were also robbed in broad daylight, until finally the ruffians were banished.

In view of the immediate proximity of this elongated complex of shops to the Temple Mount, these developments were very damaging to the town and its residents; hence the neighbors applied to the kadi to have the shoemakers brought back. The kadi summoned the *akhī bābā* of Jerusalem, the head of the guild and its members, as well as the administrator (*mutawallī*) of the endowment of the Dome of the Rock who was in charge of all of these shops. The guild members were instructed to reoccupy their former shops, for which they were each to pay the relatively low rent of 4 *zoltas*. To ensure their continued stay, each shoemaker pledged to pay the governor's kitchen a fine of 10 *ratls* of coffee beans if he voluntarily left for another shop;

¹⁹² JS, vol. 216, p. 48.

¹⁹³ JS, vol. 234, p. 130.

moreover, by so doing he would forfeit his right to practice this craft in the future. To add further weight to this ruling, the kadi wrote to the Sublime Porte and requested that a pertinent *firman* be issued, obliging the guild to permanently live and work in that complex, thus ensuring the continued welfare of the believers, proper behavior near the Temple Mount, and an ongoing source of income for its endowment.¹⁹⁴

In other words, we encounter here a combination of interests of public safety (the concern of the local residents) and fiscal expediency (the income of the endowment) that were geared to enforce a traditionally centralized economic order otherwise neglected, even deserted by one sector of its main protagonists—the guild members themselves. The shoemakers apparently had been doing well enough to seek greater freedom and independence by working separately elsewhere. They could not, however, resist the combined pressure of the authorities and the population—and for some time, at least, returned to their old pattern of behavior.

19. *Cobblers* (ʿiskāfī)

As we have seen above, some tanners were concurrently regarded as members of another guild, that of the cobblers. These were an exception to the general rule of exclusivity, by which a guild member was supposed to belong to only one particular guild. Those who repaired old shoes, and probably also occasionally indulged in producing new ones, were the cobblers .

The guild was run by a Muslim head who was referred to as “overall head” (*shaykh muṭlaq*). However, he was assisted by two others, a Jew and a Christian, referred to as “particular head” (*shaykh khāṣṣ*). The latter were appointed because of the relatively large number of guild members of their particular denomination, with whom they enjoyed a special status; but they had no relevant role as far as their Muslim colleagues were concerned. In all three cases, the appointment was made upon the recommendation of the particular group members, and the junior ones pledged full allegiance to their more senior colleague. The relevant document, dated 1688, mentions the names of eight “and several more” Christian cobblers, eight Jewish, and five “and more” Muslims. In earlier days, during the first de-

¹⁹⁴ JS, vol. 264, p. 108.

cade of the century, the number of Jewish and Christian names listed was much smaller, that of Muslims more than three times as large. One may quite safely speak of a minimum of 20-25 guild members, perhaps more, throughout the 17th century. Here, too, we encounter members of the same family, and quite often individuals whose name indicates a remote Syrian origin (Nablus, Sidon, Salt, Damascus, Aleppo, Hamat etc.).

The head of the guild was always a Muslim, and in one case the same person appointed in 1608 was still in charge in 1627. He was to treat all guild members equally, buy all the hides they needed (usually water buffalo, sometimes camel), and distribute to his colleagues “as much as each of them could deal with”. The guild members had to obey his decisions, refrain from buying any of the materials they needed for their trade without his permission, and always conduct their work in “their” unspecified marketplace. His expertise as the highest professional authority was particularly crucial when the question was hides imported from Egypt, since their quality was generally known to be dubious.¹⁹⁵

Being a cobbler, at least for a Jewish individual, was regarded as less lucrative an occupation than being a blacksmith: the former were exempted from certain indemnities of a general nature levied by the heads of the Jewish community. In two different cases more than ten years apart in the early 17th century, Jewish cobblers sued their community head for his attempt to oblige them to pay along with the blacksmiths—and they won because they were cobblers.¹⁹⁶ This must have stemmed from the general impression of the court that members of this guild could not afford to pay. Reality was quite different: to be a cobbler, as we may gather from the relatively large number of their guild members, was quite a sought-after occupation. The reason for this, we may guess, had to do with their anticipated income. Unlike our modern way of thinking, cobblers then were far from occupying the lower rungs of the economic ladder. An inheritance list of a deceased cobbler was estimated at the not insignificant sum of 155 *zolta* (dated 1760); another one bought a house for 450 silver *ghirsh* (1711); the inheritance left by the latter amounted to about 1000 *ghirsh* (1714).¹⁹⁷ Having been part of an occupational

¹⁹⁵ MA, vol. 1, pp. 19-25.

¹⁹⁶ MA, vol. 1, pp. 22-3.

¹⁹⁷ JS, vol. 243, p. 150; vol. 207, p. 12; vol. 209, p. 118, respectively.

guild that—like all others—had a monopoly on its craft, at least some cobblers seem to have accumulated an impressive amount of money, real estate and other possessions, which was handsome compensation for their otherwise less lucrative toil.

20. *Makers of waterskins* (qirabī)

In the middle of the 17th century, the kadi inspected the functioning of the water carriers' guild (*saqqā'*) and discovered that they had been engaged in the production of their own waterskins from hides that they tanned. To organize their work better he appointed one of them to be head of what he referred to as the guild of "the water carriers who made waterskins" (*al-saqqā'ūn al-qirabiyya*). About 30 years later, in 1680, the brother of this person was appointed to the same position, upon a request submitted to him by eight "tanners of waterskins" (*al-dabbāghūn li'l-qirab*). The main task they expected of him, as was the case in other guilds, would be to treat them all equally in anything that concerned their craft, and more particularly to block any further attempts of ḥājī Darwish to obstruct their work. The latter, they claimed, was an outsider as far as they were concerned, since he was a slaughterer. The kadi, having agreed to their request as the best way to promote the interests of the guild, ruled that no display of disobedience should be tolerated, particularly on behalf of that notorious slaughterer.¹⁹⁸ As mentioned above, Darwish persisted in his attempts to expand his professional activities to other fields, and no other references can be found of further interference in the affairs of the waterskin makers. Although he may have changed his spots, it is perhaps more likely that the guild had become clearly detached from related crafts, hence a non-member could not play a role in its affairs.

Actually, this guild was already functioning in the early years of the 17th century. In 1615 there were five tanners who specialized in the tanning of waterskins, and they were specifically warned against the use of imperfect hides: they must never make recourse to dishonest tampering with either sick animals¹⁹⁹ or those that had died of natural causes (*faṭīr*). Only masters (*mu'allim*) in the tanning and production of waterskins could grant formal permits (*ijāza*) to work

¹⁹⁸ MA, vol. 2, pp. 88-9.

¹⁹⁹ "Either sheep suffering from tuberculosis or swollen goats" (*min al-jild al-ladhī fihi'l-daran wa-la min jild al-mā'iz al-maj'ūma*).

in this field; a certain water-carrier who tried to produce waterskins was to be banned from the pursuit of this work as long as he had not merited a permit.²⁰⁰ At this early stage of the 17th century, this guild was formulating its own particular existence, branching away from the more traditional ones of tanners and water-carriers. From the second half of that century onwards, the degree of specialization had sufficiently crystallized, and this guild became a separate entity.

In the 17th and 18th centuries the production of waterskins became an important source for the local economy. The growing number of guild members—from five to eight, then to ten in the latter half of the 17th century—was a direct outcome of the growing demand for its goods. We do not know whether this was induced by their high quality or low price, but one thing is certain: these waterskins were not just purchased locally but began to be sought after in the entire region, from Damascus to Cairo. While the governor of Cairo had 345 waterskins bought in Jerusalem as part of his military preparations in 1606, the purchases of the governor of Damascus in 1700 amounted to five times as many, and were of a variety of sizes.²⁰¹ In 1799, when the Ottomans were preparing a major campaign to oust Napoleon from Egypt, they needed large quantities of waterskins for the crossing of the Sinai peninsula. Hence, in Jerusalem and Hebron they bought more than 5000 waterskins of different sizes and quality.²⁰² The evident growing demand also expressed, quite naturally, the change in patterns of local consumption, pushing up the price of this commodity in a way that far surpassed the rate of inflation. Viewed from the perspective of supply, it represents the guild's impressive ability to provide the Ottoman market with an item that in modern parlance would fall within the category of 'strategic goods'. In this strict, narrow sense the guild's contribution added another dimension to Jerusalem's relevance to the empire as a whole.

²⁰⁰ MA, vol. 2, p. 93.

²⁰¹ MA, vol. 2, pp. 89-92.

²⁰² JS, vol. 281, pp. 60-61. The prices paid were 135-210 *qif'a* per unit, as compared to 72-115 paid 99 years earlier.

D. Metalworks

21. *Gold- and silversmiths* (ṣā'igh)

One of the court cases mentioned above (p. 57), in which a derelict shop was turned into a coffeehouse, took place in 1765 in “the market of the gold- and silversmiths” (*sūq al-ṣiyāgha*, also known as *sūq al-ṣāgha*).²⁰³ Some 200 years earlier, in the second half of the 16th century, the Ottoman authorities were instrumental in reactivating several old markets in Jerusalem, as well as in initiating some new ones. The gold- and silversmiths, who until then had been working either from their homes or from scattered shops, were encouraged to move into one of these newly inaugurated markets and operate only from there.²⁰⁴ At first some guild members tried to evade the new regulation (and more importantly, the tight control it involved), but by the end of the century *sūq al-ṣāgha*—in itself part of the endowment of the Dome of the Rock—became the only place in town from which gold- and silversmiths conducted their professional activities. In later years no further mention was made of this problem, and the very opposite complaint emerged: towards the end of the 17th century several members of the guild would share one shop in their *sūq al-ṣāgha*, a practice the kadi insisted should be discontinued. The reasoning was that such behavior undermined this important endowment, the income of which was computed by the number of shops it actually operated in Jerusalem. We may assume that this was an indication of the growing demand for the merchandise and services they provided.²⁰⁵ On the whole, the guild structure hardly changed over the centuries, and 300 years of court proceedings provide us with a plethora of valuable information attesting to the continued existence of, and important role played by, this guild in Ottoman Jerusalem.

A *firman* issued in Istanbul in mid-1785²⁰⁶ indicates the great importance that was ascribed to this guild: “one of them is the guild of gold- and silversmithing, and it is the most important craft in it [i.e. Jerusalem], because it is from silver and gold that jewelry and

²⁰³ JS, vol. 248, p. 103. The term *ṣā'igh* (plural: *ṣuyyāgh* or *ṣāgha*) originally means: “one who gives form”.

²⁰⁴ For the 16th century see my description and analysis in *Jewish Life*, pp. 162-170.

²⁰⁵ MA, vol. 1, pp. 298-9.

²⁰⁶ JS, vol. 266, p. 34.

gold and silver articles are produced for whoever wants [them]. It demands loyalty, integrity, honesty, and perfect skill". In the eyes of the contemporary Muslim authorities it was not the supply of various vital elements of food or water that constituted the most crucial and prominent occupation, but rather the production of luxury goods made of silver and gold. The high standards of proficiency required in this profession may have partly accounted for this esteem, but one might attribute a large, perhaps the largest part of it, to the very nature and value of the precious metals with which these craftsmen worked.

Another indication of their great relative importance within the guild system is related to the bearer of the function of *akhī bābā*. In his article in the new edition of the *Encyclopaedia of Islam*, Frank Taeschner suggests that "*akhī bābā* ... brought under their control almost the whole Turkish guild organization, both in Anatolia and the European provinces (but not, however, in the provinces with Arab population)".²⁰⁷ In sharp contrast with these words, our decree clearly identifies the holder of this position in Ottoman Jerusalem, which was definitely part of those "provinces with Arab population". It opens with a general but precise statement: "It has been an old custom in Jerusalem, with the aim of ensuring [public] order and comfort for people [living] in it, that the *akhī bābā* is to be the [person] who speaks for, and controls, all the guilds and crafts in it". Since the very same heading recurs seven more times in this decree, each time directly related to the guild of the Jerusalemite *ṣuyyāgh*, its use cannot be referred to as merely *façon de parler*, or scribe's error. The *akhī bābā*, "according to tradition", as per our document's description, would choose a member of this guild for its head, and if on a later occasion the latter's performance proved unsatisfactory, he saw to it that the guild's head was reprimanded. This was a general norm applicable "in all large Muslim cities", that is, throughout the Ottoman Empire, but here we meet an actual case where it was enforced in Jerusalem in the 18th century: an individual offered himself as a candidate for the position of head of the gold- and silversmiths' guild, but sometime later he proved to have done so under false pretenses. The issue was referred to the *akhī bābā*, who was asked by the kadi to undertake the responsibility himself (temporarily, no doubt). All members of the guild were then duly informed. This procedure

²⁰⁷ "Akhī bābā," in *EP*, vol. 1, pp. 323-4.

was not just a formality: as long as the *akhī bābā* was in charge of the daily affairs of the guild, he was expected to supervise the behavior of its members. If anyone misbehaved professionally, the *akhī bābā* was specifically authorized to have him punished.

Of the many appointments of heads of the guild recorded in our sources, this one was particularly bizarre. Khalil al-Da'udi, who claimed to be a *ṣā'igh* and achieved the ultimate professional recognition, turned out to be a dealer in spices (*'aṭṭār*) and was summarily removed from the position of head (*shaykh*) of the guild. This lapse of judgment on the part of the Ottoman provincial authorities may have resulted from a factual error: Khalil al-Da'udi came from a family of famous gold- and silversmiths; about 30 years later another member of the same family, Tahir al-Da'udi, died and left the position of *shaykh al-ṣāgha* of Jerusalem vacant. Two brothers, *al-sayyid* Abu'l-Su'ud al-Da'udi and *al-sayyid* Mustafa al-Da'udi, were asked to fill this position temporarily. About a year later another decree (*berāt*) was sent from Istanbul to the same two *sayyids*, announcing their full-fledged appointment.²⁰⁸ With such a family background, the above-mentioned Khalil could easily have passed for a jeweler. Although he must, moreover, have had a certain expertise in this field, repeated complaints by other guild members as well as his own admission that his actual profession was spice-dealing brought about his dismissal.

This conflict between two high-ranking functionaries seems to have had deeper roots than meet the eye. Several years earlier, at the beginning of September 1777, a complaint was submitted to the authorities in Istanbul involving them both, although from a somewhat different angle.

This time it was the same Khalil al-Da'udi who lodged a complaint in his capacity as head of the jewelers' guild against Muhammad the *akhī bābā*. The latter, it was alleged, was also a member of this guild, an affiliation he used for unauthorized and "excessive interference" in the regular conduct of the guild. The Sublime Porte instructed the kadi of Jerusalem to look into the matter, and if the court was not presented with any particularly relevant permit, the *akhī bābā* should not be allowed to disturb the guild anymore.²⁰⁹ Unless

²⁰⁸ JS, vol. 314, p. 54; vol. 315, p. 76. The close relationship between this family and the headship of this guild could be encountered as late as the mid-1840s, when Sa'd al-Da'ūdī assumed this position (JS, vol. 326, pp. 6-7).

²⁰⁹ JS, vol. 258, p. 138. It may be noted here that this entry uses for this guild

we assume that these were two different people who bore the same name, which is always a possibility, Khalil finally lost the protracted personal and functional battle that pitted him against a higher authority; having failed, he chose to keep his distance by switching guilds. To give up one traditional line of professional activity for another, more lucrative and less problematic one could hardly be effected unless he had formerly been involved in the other, more recent line—a rare case of economic and social mobility. Still, as long as he could, he maintained the position of head of the jewelers' guild, which must not only have been esteemed by his peers but also considered lucrative by himself.

Beyond the immediate factual dimension of this case, one may discern three different layers of a more general nature. First, the matter of professional mobility: a person who had originally been a spice-dealer became a jeweler, then found himself obliged to return to his original guild. This could not have happened unless the other jewelers agreed to accept his leadership in spite of his earlier career as a spice-dealer. In the late 18th century, although the guilds were distinctly separate from one another, this is an indication of a certain erosion in the otherwise clear lines of professional division. The person involved enjoyed a particular family background as described above, but his very decision to switch camps may be an early harbinger of later deterioration of the system. A second layer is that of the relations between the occupiers of the two positions. Although the order of priorities was clear, the lower functionary dared challenge his superior both locally and on the highest level of the Empire—thus displaying not only his trust in the system, but a degree of deteriorating authority at the local level. Lastly, matters concerning guild activities were usually regulated by the local kadi, and did not involve the central administration. Very likely this exceptional case was dealt with from Istanbul because it involved a conflict of authority between an *akhī bābā* and a head of a professional guild, and particularly because of the great economic importance of the one in question. The sensitivity of the raw material they used for their trade, the value of which by far surpassed that of other guilds, added more weight to the otherwise central role of the head of this “most important craft”.

the Turkish term *qayūmçī*, which on several other occasions is used with the Arabic identical *ṣā'igh*.

At this point we should consider the main features of this central role. As is implied by the title of *shaykh* ("the elder", the leading person), this individual was regarded—and as we shall later see, the same held true for many other guilds—as the supreme authority on all matters concerning the craft. As such he had to see to it that each and every member who wanted to work in precious metals presented the local authorities with a reliable guarantor (*kafīl*) who would vouch for his personal integrity and financial solvency; even the *shaykh* was not exempt from this obligation, although in his case the guarantor had to be a prominent individual, e.g. the commanding officer (*dizdār*) of the citadel.²¹⁰ His routine involved the appointment of new guild members as well as the dismissal of others. All purchases of raw materials—both silver and gold—were to be made through him, or at least with his knowledge and confirmation; the delivery to customers of finished work required his approval; he set the price of every product; he arbitrated all disputes between guild members; and in all matters related to the craft, his decision was binding and final.²¹¹ However, the head of the guild was appointed by the kadi from among the guild members and upon their recommendation, without any time limit stipulated; whenever they thought the head could no longer discharge his functions properly, they sought his dismissal by the local court. Quite often guild members were directly related to one another—sons, brothers, cousins. On several occasions, therefore, the kadi made appointments that perpetuated these family ties even though he acted upon suggestions made to him by the guild members; even in these cases the candidate had to meet the high professional standards set by the guild. Consequently, quite often in our texts the name was preceded by the Arabic *ustādh* or Turkish *ustā* or *usta*—the equivalents of the title "master".

The costliness of the materials involved, and consequently of the finished products, made price setting by the *shaykh* a task of primary importance for his colleagues as well as for the general public. "If he saw a piece of jewelry, he would advise as to the adequate price,

²¹⁰ This was a standard procedure in many crafts, as well as for other positions that involved public responsibility, such as head of a neighborhood (*shaykh ḥāra*). It became much more relevant in the case of this guild because of the large sums of money involved, and the danger of unscrupulous guild members' disappearance from town (see, e.g., MA, vol. 1, p. 284).

²¹¹ JS, vol. 49, p. 125. See also Nelly Hanna, *Construction Work in Ottoman Cairo* (Cairo, 1984), pp. 8-10, 58-9.

its [weight] rate, and the rate of its alloy, so that no damage might befall the buyer or the seller".²¹² Silver seems to have been used by the guild more commonly than any other metal, hence the *shaykh*'s particular interest in it. Pure silver (*khālīs*) was naturally the most expensive and used most often by the artisans; hence the head of the guild was issued a special stamp (*damga*) that he applied to attest to its adherence to the standard. When the silversmiths agreed, early in the 16th century, that "they will practice their craft in silver of one type",²¹³ they may have referred to pure silver, and the stamp would have served as sufficient guarantee of its quality. However, this self-imposed regulation was easier to stipulate than to enforce, and towards the end of the 16th century the use of low-grade silver (*mu'āmala*) was also permitted. Two categories of silver jewelry were then established: one was produced from pure silver ingots (and its price was set at 3 *qif'a* per *dirham*, plus 1 *akçe* for labor); the other used 14-karat silver, and its price was set at no more than 2 *qif'a* per *dirham*. We are even given an insight into the actual application of these two categories: the more expensive jewelry included necklaces (*baghmā, jānāzīr*), bracelets (*injās*), earrings (*balkhat al-ḥalaq*), and cast pendants (*hayākīl*). The second category was for cheaper ornaments: peasants' jewelry, simple bracelets for the arms, neck and ankles (*aswirat al-fallāḥīn wa-aṭwāquhum wa-khalākhlīhim*).²¹⁴

Any silver item displaying the above stamp would have borne proof of its standard—a very powerful tool given to the head of the guild. Its occasional misuse could ensure handsome profits for a dishonest guild head, and if proven, could bring about his dismissal. In 1624, for example, a Muslim dignitary complained that a silver-plated sword sheath he had ordered from the Christian head of the guild had been delivered to him in a condition that amounted to a professional fraud: the pure silver stamp the guild head had printed on it was a misrepresentation of silver of a much lower grade than was actually used.

²¹² JS, vol. 266, p. 34.

²¹³ JS, vol. 33, p. 144.

²¹⁴ JS, vol. 75, pp. 164, 242. For a detailed description, as well as illustrations of some of these ornaments, see E. W. Lane, *Manners and Customs of the Modern Egyptians* (London, 1908, reprinted 1954), pp. 572-7. The guild that one would tend to think of as catering to the more affluent urban population appears to have been closely related to, and to have systematically catered to the rural population as well. For further details on this particular aspect of town-village relations carried on until the 19th century see: JS, vol. 326, pp. 6-7.

The kadi had another silversmith conduct a chemical test in court, and it emerged that the head of the guild had actually used a 30% lower grade of silver and had falsely applied the stamp. Thereupon the head silversmith was dismissed, convicted and flogged.²¹⁵

Professional expertise as well as personal honesty were major criteria for settling any dispute that arose in connection with the head of the guild. In the early 1680s, contradictory claims were made by two rivals. Da'ud *bölükbaş*ı, whose father, too, had been a commanding officer in the citadel of Jerusalem, had served as head of the silversmiths' guild ever since the early seventies. Ten years later this position was shared by him and another person, an expert called *ustā* Muhammad the convert. Many Christian and Jewish members of the guild asked the kadi to dismiss Da'ud because he was a "military man" who lacked a proper understanding of the intricacies of this craft. The kadi granted their request, but in 1687 we learn that these two had reached a compromise. Their new arrangement, too, seems to have failed: Da'ud *bölükbaş*ı claimed that the convert Muhammad had insufficient knowledge of jewelry making and pricing, and had cheated on several occasions. This protracted dispute was finally resolved by the kadi, who, in view of the full support given to Da'ud by all members of the guild, once more appointed him as its undisputed head.²¹⁶

The support of its members was a crucial element in the kadi's consideration of a candidate to head this guild. Although objective criteria were always taken into consideration, personal preferences must also have played an important role in this context. One of the main demands presented to each new head of this (and practically every other) guild was that he treat all members equally.²¹⁷ Whenever the kadi dismissed an incumbent head, it was because of the latter's unequal treatment of his underlings, recurrent incompetence due to failing health, or deteriorating standards of behavior.

Since most of the foregoing references highlighted professional work in silver, one should point out that the popularity of silver notwithstanding, guild members used other materials as well. First,

²¹⁵ MA, vol. 1, pp. 274-5.

²¹⁶ MA, vol. 1, pp. 277-83.

²¹⁷ The terms used were "*yusāwī baynahum fī maghānīmihim wa-maghārimihim*" (see, e.g., MA, vol. 1, p. 277). D. Ze'evi's reading of the same formulation (in his *An Ottoman Century*, p. 227, note 40) should be corrected accordingly.

they occasionally availed themselves of copper, sometimes as a basis for silver-plated jewels.²¹⁸ Second, the same craftsmen also worked in gold. In a detailed inheritance list of Da'ud *ibn* Faraj Allah, the Karaite Jew who died in Jerusalem in 1631, there were various precious stones and silver, as well as pieces of gold jewelry (earrings, rings etc.).²¹⁹ The dishonest head of the guild whose story was told above, Khalil al- Da'udi, was exposed by members of the community who attested to specific cases in which he had shown himself to be devoid of even an elementary knowledge of the craft. Moreover, instead of protecting the interests of the public he conspired with others to have fake gold pieces sold to unknowing customers. Only sometime later, when the fake jewelry in question was actually worn, was the fraud exposed. Khalil was consequently discharged from office and forbidden ever to practice this craft in the future.

References made so far to Christian and Jewish members of the guild point to a more general question: what was the guild's ethnic composition, and how homogeneous were its heads? Although Ottoman Jerusalem was predominantly Muslim, and all its Jews and Christians combined hardly amounted to 20% of the entire population, members of these two minority groups were very heavily represented in the guild. In an earlier work on 16th-century Jerusalem I described this as the period when "hardly a year went by without mention of dealings or litigations involving a Jewish jeweler".²²⁰ In a certain year the records included at least ten different Jewish members of the guild, and certain of those names were repeatedly mentioned as *şuyyāgh* for many years consecutively. Progressing to the 17th century, Jewish membership still seems quite substantial, but it is increasingly matched and even surpassed by the number of their Christian colleagues. Among the Christians we encounter Copts, Armenians, Greek Orthodox; among the Jews there were several Karaite jewelers as well. Arriving at the 18th century, we find that Christian members dominate the scene.²²¹ To be sure,

²¹⁸ For a case in the very early 17th century, where earrings were falsely produced at the rate of more than 50% copper plated with silver in an attempt to cheat a Muslim lady from the neighboring village of Lifta, see: MA, vol. 1, pp. 292-3.

²¹⁹ JS, vol. 119, p. 553.

²²⁰ A. Cohen, *Jewish Life*, p. 169.

²²¹ See, e.g., the list of names given for 1681 (MA, vol. 1, pp. 279-80), or that dated 1724 (JS, vol. 220, p. 21). The head of the guild in the latter case, however, was a Muslim, the son of the aforementioned Da'ud *bölkübāşı*.

the names of guild members that figure in the court registers during the very same years show a substantial Muslim presence. Although the nature of the *sijill* documents cited above makes it impossible to draw a precise statistical picture, a comparison of names listed systematically and other relevant occasional references therein leads to the following general conclusion: although on different dates there were some ten members from each of the three denominational groups, the large concentration of Christian and Jewish craftsmen created the impression of a predominantly non-Muslim guild.²²²

Equally, and perhaps even more, impressive is the fact that—unlike most of the other guilds—not all of this guild’s heads were Muslim. While in earlier days some of them were Jewish, 17th-century documents provide us with several examples of guild leadership entrusted to Christians. In August 1559, the Jew Musa *ibn* Harun served as *shaykh* of the guild, and in March 1592, when the guild members asked the kadi to dismiss their Muslim head, they suggested that he be replaced by a Jew, to which the kadi agreed.²²³ In the following century, while no additional cases of Jewish *shaykhs* emerge, Christians reappear as heads of the guild: in 1624 Arslan the Christian (*al-naṣrānī*) reached the end of his tenure as the guild’s head, and in 1656 an Armenian was appointed to that position. These are indications (among others in Jerusalem, and in financial matters generally in other Ottoman towns) of the growing importance of Christians, who were gradually replacing Jewish members of the guild. In the 18th century the number of Jewish jewelers decreased significantly, probably as a result of the general deterioration and decline of Jewish life in Jerusalem. This meant that the guild became predominantly Christian, although not as exclusively as it appeared in the 1785 decree: “and their artisans are protected (*dhimm*) people from amongst the Christians (*min al-naṣārā*)”.²²⁴ Although an inaccurate statement (after all, the same decree mentions a Muslim head of the guild, implying at least a certain Muslim presence), it is indicative

²²² MA, pp. 273-93.

²²³ JS, vol. 37, p. 477; vol. 75, p. 49.

²²⁴ A. Raymond (in his *Artisans et commerçants au Caire au XVIIIe siècle*, Damas, 1973, pp. 228, 456, 500-501) describes a similar state of affairs in Ottoman Cairo, where many jewelers were either Christian or Jewish, and as of the late 17th century “le terme de *ṣā’igh* est réservé aux seuls chrétiens”. Mixed guilds were also common in 18th-century Bursa where goldsmiths were similarly “classed as Christian” (Faroqhi, *Bursa*, p. 102).

of the general impression that prevailed at the time, projecting to a large extent the social and economic reality.

The very substantial presence of Jewish and Christian gold- and silversmiths in Jerusalem reflects two factors. First, Muslims—perhaps as a result of religious constraints²²⁵ and limited historical traditions—constituted just one, and not necessarily the largest part of this guild. Second, Jews and Christians did not enter this field only because of the limited enthusiasm of their Muslim neighbors. Although that may apply to other Muslim urban centres as well, it held true particularly in Jerusalem because of the very nature of the town: Christian and Jewish pilgrims would visit Jerusalem regularly, and they spent both time and money there. Hence, local members of these two communities were well equipped to deal in, produce and deliver goods sought by the foreign pilgrims. The *mawsim*²²⁶—the annual “season” for the sale of different *objets d’art*—must have coincided with the period of pilgrimage, i.e. springtime with its Jewish Passover festivals and Christian Easter celebrations. Thus the special tax collected from the Jewish and Christian gold- and silversmiths by the *muhtasib* of Jerusalem at the end of the season. He did not, however, collect it “out of season”, as it were, even though the products of this guild were sold throughout the year to pilgrims who came on other occasions, as well as to local people coming from Jerusalem and its neighboring villages.

Ottoman Jerusalem had other guilds that provided the local population with much more vital necessities, e.g. that of the butchers in charge of meat supply. Why, then, did the 1785 document refer to *şiyāgha* as “the most important”, and how far can its authenticity be confirmed by descriptions of other Ottoman towns? Suraiya Faruqi, in her analysis of Anatolian towns, refers to metal industries, but although silver is occasionally mentioned, it is “mostly copper and ironware [that] also formed an important activity in towns”,

²²⁵ Religious constraints did not, however, stop Muslims of all walks of life from utilizing a wide variety of home appliances, military equipment and luxurious fabrics that were made of, or at least had a substantial element of, gold and silver. A long list of such items is provided in a sultan decree issued in mid-September 1822, declaring once again (an earlier version, JS, vol. 271, p. 4, goes back to 1790) the use of gold and silver as “unlawful” (*nā meşrūʿa*), then stating more specifically that “the use of utensils [made] of gold and silver by [either] male or female is not permissible in any way” (JS, vol. 307, pp. 31-2). For a short summary see: *Taʾrīkh-i Cevdet* (Istanbul, 1309 A.H.[1891]), vol. 5, pp. 32-3, vol. 12, p. 45.

²²⁶ JS, vol. 6, p. 424.

rather than the products of silversmiths.²²⁷ In André Raymond's Ottoman Cairo, the guild of the *ṣuyyāgh* is quite often referred to, but never as part of the "corporations considérées"; it seems to have been of moderate importance, and was usually grouped together with less important guilds such as painters, fishermen, muleteers etc.²²⁸ This classification in its somewhat blurred form echoes the Koranic warnings against excessive accumulation of gold and silver by those who "do not expend them in the way of Allah".²²⁹ Even more clearly, it brings to mind Ira Lapidus's description of the Mamluk period, when the Muslim literary distinction between "respectable" and "non-respectable" trades seems to have been valid in Syrian towns, and "goldsmiths...belonged to subordinate occupations".²³⁰ Did this "subordinate" position spill over to Ottoman times, and does it account for the lack of any reference to this profession in A. Abdel Nour's general description and analysis of Ottoman Syrian towns from the 16th through the 18th centuries?²³¹

In sharp contrast to all of these bits of information, impressions and critical judgments, one inevitably recalls S. D. Goitein's description of the "Mediterranean society" several hundred years earlier, in the very heart of the lands of Islam, where "next to textiles, metals...and above all the gold [and] silver...industries were predominant in medieval arts and crafts".²³² It may be that his valid findings were the exceptions to the rule, or should we apply them to the Ottoman scene as well? The existence of three separate markets for the gold- and silversmiths' guild in Ottoman Hamat seems an indication of the economic importance of the guild for which these markets were designed.²³³ The central location of the glittering goldsmiths' market in Istanbul's *kapalı çarşı*, famous among visitors of present-day Turkey as well as among students of Ottoman histo-

²²⁷ S. Faroqhi, *Towns and Townsmen of Ottoman Anatolia* (Cambridge, U.K., 1984), p. 171. Silversmiths, not surprisingly, do not figure among her *Men of Modest Substance* (Cambridge, Mass., 1987).

²²⁸ Raymond, *Artisans*, vol. 2, p. 528.

²²⁹ Cf. "Fidda" in *EI*², by A. S. Ehrenkreutz.

²³⁰ I. Lapidus, *Muslim Cities in the Later Middle Ages* (Cambridge, Mass., 1967), pp. 82-3.

²³¹ A. Abdel Nour, *Introduction à l'histoire urbaine de la syrie ottomane (XVIe-XVIIIe siècles)* (Beirut, 1982).

²³² S. D. Goitein, *A Mediterranean Society*, vol. 1 (Berkeley and Los Angeles, 1967), p. 108.

²³³ 'Abd al-Wadūd Muḥammad Yūsuf, "Ṭawā'if al-ḥiraf wa'l-ṣinā'āt", pp. 93-4.

ry, can only be interpreted as manifesting the trade's importance at the time. A. Raymond's recent research, approaching the topic from an architectural perspective, seems to have reached a conclusion that tallies more readily with our interpretation than with his earlier textual analysis. In the Arab cities of the Ottoman Empire (and one may assume that this was not an entirely new phenomenon), the Grand Mosque was the conspicuous centre of town. In close proximity to it 's'établissaient des activités fondamentales comme le marché des orfèvres'.²³⁴ This was true for Aleppo, Damascus and Algiers, whereas the jewelers' guild was 'less directly linked' to the Mosque in Bagdad, Tunis and Cairo. We have now come almost full circle, where the centrality of the guild of the *sāgha* in Jerusalem as described in our document coincides with the architectural and conceptual pattern of other major Syrian towns.

Here it is again pertinent to cite Goitein's words, this time concerning the logic behind the very existence of this craft. Gold and silver were not merely used to produce ornaments intended to gratify the human search for beauty and desire for luxury; they also "served largely as a means of investment and saving".²³⁵ This could not possibly have changed under the Ottomans, and in this respect Jerusalem must have been structured very much like other urban centres. But there was one particular trait in which Jerusalem overshadowed other towns: its religious importance. Holy to Christianity and Judaism as well as to Islam, it constituted a permanent focal point for pilgrims of all creeds. Memories of holy Jerusalem—an adjective devoutly repeated as an integral part of the town's name in the languages of its various admirers²³⁶—were better preserved when buttressed by a souvenir obtained there. Hence the flourishing trade in articles made of precious metals, the importance ascribed to the guild that produced them, and the authorities' high regard for these items. Not unlike the two holy shrines in the Hijaz, Ottoman Jerusalem, too, had lost much of the political and administrative weight it had possessed in earlier days. However, since it constituted part of the most powerful Muslim state of the day, and its importance was further underscored by its being highly coveted by

²³⁴ Raymond, *Grandes villes arabes*, pp. 232-3.

²³⁵ Goitein, *Mediterranean*, vol. 1, p. 108.

²³⁶ The Arabic term invariably used in the thousands of pages of the Jerusalem *sijill* registers is: *al-quds al-sharīf* (Turkish: *kudüs-i şerif*), also referred to as *bayt al-maqdis*.

foreign powers, it could, and actually did, use the general interest it aroused to regain a certain degree of its erstwhile importance, this time in what we would now call the tourism industry. It is in this combination of religious fervor and commercial interest—both local and international—that the importance of Jerusalem *ṣāgha* should be measured during the heyday of the empire as well as throughout its years of decline. It is in this multiple context that gold- and silversmithing became “its most important craft”.

22. *Blacksmiths* (ḥaddād)

We have seen several guilds that had both Muslim and non-Muslim members. The blacksmiths’ guild (*ḥaddād*) was also so constituted; in fact, it appears to have been predominantly Christian, with very few Muslims.

The most obvious indication may be found if we look at the appointments of the guild’s heads. Whereas, in earlier instances, we could point to an occasional Jewish or Christian head of a predominantly Muslim guild, here the very opposite was the case. All those whose nomination we could trace for both the 17th and the 18th centuries were Christians. Although our sample is quite broad, it is far from exhaustive; occasional Muslim leadership cannot be ruled out, particularly given the fact that the guild included Muslim members. However, even from the quantitative angle Muslims appear to have played a very minor role. Combining two lists of guild members’ names just before and after the middle of the century, we reach a figure of 11, and looking only at the 1650s we encounter a few new members; checking the lists from 1670, the total number is 10, and later in that decade the total figure reached is even higher—14. Since in several documents the court speaks of “the rest of the blacksmiths”, the final membership figure may be even higher—but almost exclusively Christian.²³⁷

Surveying the available documents of appointment, we note a very

²³⁷ MA, vol. 1, pp. 61-5; vol. 2, p. 239; JS, vol. 215, p. 39; vol. 218, p. 56. Whenever a non-Muslim is mentioned, a special formula indicates his different religion: a Muslim will always be *ibn* for “son of”, whereas the appropriate term that the court’s scribe uses for a Christian (and in other cases a Jew, too) is *wuld* or *veled*. However, when, for example, in 1658 two of the names are cited in the above Muslim formula, a possible inaccuracy cannot be ruled out, at least in the case of one of them, whose father had a typically Christian name: *Ḥannā* (the shortened Arabic form of John).

exceptional one: in 1647, the members of the guild came to the kadi and declared that they had agreed to perform all their duties in the service of the governors with no reference to an appointed head. They undertook to carry out all their professional work “equally”, using the magic word always repeated by the kadi to any newly elected *shaykh*. Hence the kadi confirmed this very special arrangement: the guild would be run by itself. To the best of our knowledge this experiment was never repeated afterwards, and we have no clue as to how well it functioned. It probably did not function very well, but it adds credence to our growing impression of the importance of the services provided to the governor by the guild—over and above the supervision of production and supply of goods—as a vital element in determining the state’s basic positive approach to the very existence and permanent functioning of this institution. On the other hand, it sheds more light on the other question, that of the nature of the relations prevailing between the kadi and the guild: the kadi not only honored the guild’s decision as to who should be chosen to conduct its affairs, but would even submit to their decision as to who should be appointed. In the triangular relationship of members, governor and kadi, the latter, who on the face of it had so much regulatory power, actually used it in response to the will of the people, while the services the members rendered to the state apparatus elicited its support for the entire guild system.

Technically speaking, the last episode occurred not as an exercise in power-sharing but simply because the members could not agree on a candidate for the job. This was related to personal tensions among them, but a certain advantage could be drawn from the situation: this way the guild saved the expenses for their *shaykh*, particularly his exemption from their regular obligations to the governor (*al-kilaf al-ʿurfiyya*), which simply meant reducing the actual tax burden borne by each guild member.²³⁸ However, because the institution of the head of the guild proved too crucial to forgo, notwithstanding the extra costs it involved, we find the usual routine recurring: in 1656, for example, two heads were appointed concurrently, and in 1670, upon the death of a *shaykh*, his son was nominated in his place. The general conditions that went with the job were similar to those prevailing in other guilds: equal distribution of raw material and profits on the one hand, and of impositions

²³⁸ MA, vol. 1, pp. 61-2.

incurred on the other. He also fulfilled the special duty of issuing permits to blacksmiths who wished to leave town on professional business in the neighboring villages. They would go to repair damaged tools, as well as to promote the sales of new ones.

The guild produced a variety of utensils upon demand by the peasants—e.g. ploughshares, sickles or hoes—jointly undertaken but performed separately in their respective shops, then provided to their customers in the villages. Being a guild member meant partaking in the contractual arrangement that was thus created with the villagers, each member being entitled to his respective share once payments were due, unless he specifically declared himself as giving up his lot. Since as late as the 17th century many transactions in Jerusalem—and in Palestine as a whole—were still concluded on a barter basis, the guild members were usually paid for their services with wheat and other agricultural produce that they later sold in town. They had to do this in order to raise the cash to defray the cost of iron bought from ironmongers, though they were granted delays for the actual payment of pledges made earlier.²³⁹ Finally, there was also the regular supply of the needs of the local governor and his underlings, e.g. horseshoes and other equestrian equipment, with which the guild had to furnish the governor from the very first day of his arrival in town.²⁴⁰

The heavy Christian presence in the blacksmiths' guild manifested itself also in the urban setting: the "blacksmiths' neighborhood", and even a residential complex bearing their name (*ḥawsh al-ḥaddādīn*), were located within the larger Christian neighborhood. In the 18th century these already contained a mixed professional population: Christian silversmiths, for example, bought houses there, and weaving facilities were also located in residential basements there.²⁴¹ These buildings were not inexpensive, and the sums of money the blacksmiths invested indicated a certain affluence: in 1714 a blacksmith bought himself a house in the same neighborhood for 90 *ghirsh asadī*

²³⁹ MA, vol. 1, pp. 65-6. In the early 17th century iron was quite expensive: a consignment of 80.5 *raṭl* was bought at a price of 39 *sulṭānī*, i.e. approximately 0.5 gold coin per *raṭl*.

²⁴⁰ MA, vol. 1, p. 67.

²⁴¹ JS, vol. 209, p. 59; vol. 217, pp. 92, 217; vol. 221, p. 330; vol. 232, p. 70. On *ḥawsh* and its architectural constitution see A. Abdel Nour, *Introduction à l'histoire urbaine*, pp. 130-5; Raymond, *Villes*, pp. 223-5; J-P. Pascual, *Damas à la fin du XVIe siècle* (Damas, 1983), pp. 48-9; N. Hanna, *Habiter au Caire aux XVIIe et XVIIIe siècles* (Le Caire, 1991), pp. 70-3.

(then worth 1.5 *zolta* each), and a room added to the above-mentioned blacksmiths' *hawsh* complex was bought in the same year for 50 *ghirsh*; in 1719 a blacksmith had an upper floor built onto a house he owned in the Christian neighborhood; and in 1726 20% of a house in the blacksmiths' neighborhood cost 100.²⁴² All of these point in the same direction: being a blacksmith may have involved getting one's hands dirty, but it also brought substantial income and economic status.

23. *Sword makers and knifsmiths* (*suyūfī*, *sakākīnī*)

By the very nature of their craft, blacksmiths could produce many varieties of knives and swords. These tools were of particular importance, and to ensure that they did not fail their users at a crucial moment, the know-how applied and the metal employed in their production required special expertise. Thus we find a separate guild, the sword makers and knifsmiths (*suyūfī*, *sakākīnī*), who concentrated on manufacturing these products only.

There was a strong Christian presence in this guild as well, though Muslims were more important here. In the course of two separate court sessions, in a document from 1611, five Muslim members and six Christians (two of whom were Armenians) are listed, and although we may assume that these lists were not exhaustive, it seems that the total number, as well as the overall activity, were more limited in this than in most other guilds. However, since it had great importance in what we would now call security matters, the head of the guild, notwithstanding the apparent Christian majority, was a Muslim.²⁴³ Moreover, a close look at his name reveals an interesting mobility: "master" Nasir al-Din ibn Qasim al-Zurdukash, who was entrusted with the title and responsibility of *shaykh* of this guild in 1611, two years later became a silversmith, and in 1632 was even appointed head of the silversmiths' guild.²⁴⁴ There was, undoubtedly, more money to be made as a silversmith than as a knifsmith, hence his upward mobility. His experience in leading one group that worked in metal must also have been most helpful in supervising the

²⁴² JS, vol. 209, pp. 59, 169; vol. 213, p. 156; vol. 221, p. 330.

²⁴³ In 1726, the only reference we have is to a Muslim knifsmith who leased his shop from an endowment near *sūq al-ṭabbākhīn* (JS, vol. 222, p. 53).

²⁴⁴ MA, vol. 1, pp. 206, 273, 284. His name indicates that his father, at least, had prior knowledge of dealing in metal: *zarad* means coat of mail, in the production of which he was probably well versed.

affairs of the other, perhaps even in being elected to that post. However, this seems to have been an exception to the general rule, and for lack of evidence we cannot even address ourselves to the question of whether he quit his old profession when he moved up. Judging by clearly drawn rules cited on other occasions about the inadmissibility of belonging to two separate guilds, we tend to think that even if he tried to hide such a fact, this pattern of behavior would have been discontinued by order of the kadi.

The rules of this guild were no different from those applied in the others. All their raw materials, especially iron and steel, were to be acquired through their head or with his explicit permission, and then distributed among all members without discriminating against any of them. The sale of all their products, including standards and prices, was to be similarly regulated by him.

24-25. *Coppersmiths and tin-platers* (*nahḥās, mubayyid*)

The production of some of the commodities sold in Jerusalem involved high temperatures that could be achieved in receptacles made of copper. Soap factories and bathhouses, makers of sweetmeat and coffee, were the main consumers of copper or brass (*nuḥās*), mostly for repairs in the cauldrons or other boilers that deteriorated from excessive use in their production lines. Copper- and tin-plated utensils were also in demand, not on a commercial level but rather for use in ordinary households—pots and pans, bowls and dishes, coffeepots and urns etc. All of these were the realm of the coppersmiths and tin-platers (*nahḥās, mubayyid*).

In the early 17th century we encountered seven guild members; then in the 1640s and 1650s, 14 different names were listed, many of them related to one another. Their full number was actually higher, since most documents refer to these name-lists as “among the coppersmiths and tin platers”, indicating that there were others as well. Most of them were Muslims, with a certain Christian presence; in 1644 an “expert” (*mu‘allim*) called Murad the Christian was listed among the guild members, and in 1678 a group of three other Christian coppersmiths were warned by the kadi to cease behaving in a manner that circumvented the head of the guild.²⁴⁵ The latter was, as usual, appointed by the kadi upon the recommendation of other

²⁴⁵ MA, vol. 2, pp. 154-7, 162.

members, without any time limit to his tenure. The same guild members who were instrumental in his nomination could also bring about his downfall: when, in 1653, against the common expectation of his permanent presence in town, the head of the guild went on the *hajj* pilgrimage (which meant an absence of several months), the guild requested that the kadi replace him, and a new one was in fact appointed. The latter, who had previously served as a Janissary stationed in the Jerusalem citadel (and probably went on collecting his pay regularly), seems to have been too rough for some, at least: three years later he was replaced when the kadi confirmed a complaint against his “being a military person” whose behavior caused them various troubles. The very same person, however, was reinstated sometime later, as in 1659 a large group of guild members complained once again, this time in much harsher terms, of his misbehavior. He spoke ill of them to the authorities, hurt them directly both in speech and deed, and instead of helping them in the performance of their work, transmitted their final products to their customers and collected the payment they were due. Either this person’s challenge to the guild was too strong, or he was so closely related to the authorities that extra pressure was needed, or both. This situation, however, was exceptional in that the members resorted to a threat that unless he be replaced, they would “discontinue their craft and emigrate from their town to another one”. Under such pressure the kadi was left with little choice but to accede to their demand. However, the same Khalil did not disappear from the scene: in 1670 he was again serving as head of this guild, while other members of his family were also engaged as coppersmiths in later years.²⁴⁶

The unprecedented argumentation used by the coppersmiths in attempting to bring about Khalil’s dismissal, and his eventual reemergence as their *shaykh*, give us an insight into the real importance of the holder of this position. The head of the guild was in charge of the purchase, through guild members who were personally involved, either directly or with his authorization of the raw materials, namely copper and tin. Their equal distribution within the guild, as well as the application of the same yardstick in the levy of taxes and other impositions from the members, were the main pillars of his authority, and whenever he disregarded these, he lost the members’ respect, forfeited the discipline of the guild, and was eventually replaced. Once

²⁴⁶ MA, vol. 2, pp. 156-8, 162.

again, the application of equality was not technical but conceptual: in fact, he was supposed to take into account the different capacities of each coppersmith, and decide upon his respective quota accordingly (“to burden every one of them according to his capacity”). His responsibility, as noted above, was also applicable to the entire sphere of actual production. He set the professional standards and supervised employment, fixed the prices of goods produced and on occasion even collected the payments from the customers. Whenever he did not personally take charge of the sale of copper in town, his permission was always sought by the relevant guild members.²⁴⁷

In the course of the court session that was mainly devoted to the appointment of their head, the kadi took advantage of the opportunity to repeat the general regulations, as well as referring to particular issues, that concerned the guild members. In mid-April 1644 he addressed, among other things, the question of tin-plating. The application of a thin layer of tin to utensils made of copper gave them a smooth, unbroken, shiny coating, as if these were aesthetic finishing touches. It was also performed, however, for reasons of substance: the natural corrosion of the metal was thus covered in a way that made these items of cutlery and tableware healthier and much more pleasant to the human palate. This production process, probably involving the emission of unpleasant odors, was to be conducted only in the tin-platers’ shops. It should not, warned the kadi, be practiced in the town’s residential quarters, and particularly not in the Jewish neighborhood.²⁴⁸ What would otherwise seem to be a commendable display of interest in the population’s well-being becomes somewhat more suspect when the Jews are singled out. There is always a possibility of the Jewish population being discriminated against, particularly by a guild that had no Jewish members. However, the reason for avoiding this neighborhood is actually much simpler: the date of this court ruling coincides with the beginning of spring in that part of the world, which is the time when the Jews celebrate their Passover, a venerated holiday apotheosized by special dietary laws. One way of avoiding the use of the ordinary eating utensils—which is strictly forbidden during that week—is to buy a new, previously unused set, or alternatively, to get a new coating on some of the old ones, which will thus become “kosher” (admissible for those partic-

²⁴⁷ MA, vol. 2, pp. 154, 156, 158-9, 161-2.

²⁴⁸ MA, vol. 2, p. 155.

ular dietary laws). Since this tin-plating meant big business for the members of the guild, they would undoubtedly perform this service close to where the potential customers lived, i.e., in the streets of the Jewish neighborhood. This service was offered all year round to all the local inhabitants, but the specific reference to the Jews was a deliberate warning against performing it on a large scale at that particular time. On the whole, it should be seen in the wider context of the kadi's policy of safeguarding the entire Jerusalem population against interested parties (see chapter 17, *Tanners*) who tried to gain narrow commercial benefits while impairing the general welfare.

E. Textile production

26. *Cotton merchants* (qaṭṭān)

The market of the cotton merchants (*suq al-qaṭṭānīn*), an old, well-established complex dating back to the Mamluk period, was very thoroughly restored and refurbished in the late 1560s.²⁴⁹ This was not just part of a general Ottoman policy of urban restoration, but also an incentive for further economic development. As we have seen in the case of the other markets, the activity carried out there was not limited to cotton production, although the critical mass of the latter, i.e. the carding (*nadf*) of the raw cotton did indeed primarily take place there.

One indication of the intensity of the guild's activities is the rapidity with which its heads were replaced. In practically every decade of the 17th century, a new head of the guild was appointed by the kadi. The number of guild members who came to the court for that occasion was ten or more, and in the middle of the century we could identify about 20 different names of those present. Some of them were clearly related to one another, and over the years quite a number of sons replaced their fathers in the same capacity. All of them were to be treated equally by their head as well as by his assistant (*naqīb*), both in terms of privileges and liabilities. There were, however, several cotton merchants whom the kadi exempted from any of the latter: in 1608, for example, the four shops managed by descendants of the Prophet (*ashrāf*), plus two more, were proclaimed

²⁴⁹ See my "Local Trade" in *AAS*, vol. 12, pp. 8-9.

exempt from all indemnities the guild was liable to; in 1663, two others were thus declared.²⁵⁰ All other guild members had to fully obey any instructions issued by their head, including the behest to regularly provide the governor with cotton. We do not know what particular type was sought by the latter; it may have included elements from both kinds of cotton the guild mainly dealt with, raw and spun.

We should point out here that although the cotton merchants themselves, quite naturally, also practiced actual spinning, much of their cotton was, in fact, spun by women who worked from home, in and around Jerusalem. The cotton merchant's shop was where he personally worked, sometimes aided by a young apprentice. This shop also served as a depot where he kept both the raw materials he had purchased from the villagers and the final product—the spun cotton. The employment of this home-based workforce indicates a growing demand for spun cotton, which the members of the guild could not possibly satisfy by simply putting in more work hours. This rising demand could also be satisfied, to a certain degree, by increasing the supply of raw material provided by the peasants. Although Jerusalem was located in the midst of a rural area, actually surrounded by many villages, the main cotton-growing fields were somewhat more distant: 10 to 15 miles to its west, just beyond the point where the hills end. Sloping into open plains that stretch some halfway between Jerusalem and Ramle were the best regions for extensive cultivation of cotton in central and southern Palestine. It was from those sources that the cotton merchants received their main supply, with some subsidiary provisions coming from the hillside villages to the north of that area, along the main route to Nablus.

The gradually growing activity of the guild should be seen in a wider context, that of the next stage in the chain of production, namely weaving (*hiyāka*). A detailed summary of a 1654 court session gives us some insights into the problematics involved.²⁵¹ Members of the cotton merchants' guild complained to the kadi of obstacles they had been encountering for some time from the weavers' guild of Jerusalem. The latter had been blocking their recently opened commercial channels of sale of their goods to distant customers. The cotton merchants had for some time been selling their merchandise

²⁵⁰ MA, vol. 2, pp. 135, 142.

²⁵¹ MA, vol. 2, p. 143.

to Damascus and its vicinity (*bilād al-Shām*), as well as to other destinations in the Ottoman Empire as a whole (*bilād al-Islām*). These sales were conducted in a purely Islamic context, the merchandise being purchased in Jerusalem by unorganized Muslim merchants, then transported for the production of certain brands of cloth (e.g. *baghdādī*), as well as semi-strategic products such as tents (*khiyām*). In return for their spun cotton the guild received new consignments of raw cotton; hence these new sales actually meant enlarging their market both geographically and in terms of the overall quantities produced. The disruption of this new range of activity by the weavers meant not just loss of money for the cotton merchants, but also the firing of all those women whom they employed in the spinning process. No wonder, therefore, that as a result the local economy suffered, and the prices of spun cotton soared. When the kadi interviewed the weavers, they admitted that the quantities of spun cotton available in Jerusalem had dropped significantly and consequently their price had soared, but they could not be blamed for this. The main reason was the exporting of cotton in the opposite direction—to Sidon. Large consignments of it were being shipped to there, later to be transported to Europe by non-Muslim (*ḥarbī*), Catholic-French (*ifranj*) merchants. This new practice was prohibited by the kadi, who again stipulated what to him was the only possible order of things: first, the weavers of Jerusalem should avail themselves of the cotton for their own craft; then whatever was left over could be sold to Damascus and other Syrian towns.

Three general conclusions may be drawn from this episode. First, the cotton merchants' initial insistence on their sales being conducted in a truly Muslim context had an unusual and somewhat suspicious ring when it was first expressed. This was then practically confirmed by the disclosure of their unauthorized dealings with the European Christians. Second, this entire episode should be seen in an international context of the growing commercial ties between the French merchants of Marseille and the Syrian port of Sidon. Indeed, we know from internal French commercial correspondence of the growing number of boats loading cotton in Sidon so as to provide for the increasing demand of the French industry in the 17th and 18th centuries.²⁵² The main item they imported was "cotons d'Acre",

²⁵² A. Cohen, *Palestine in the 18th Century, passim*; D. Panzac, "Commerce et commerçants des ports du Liban sud et de Palestine (1756-1787)" in *Villes au Levant*, pp. 75-93.

which originated, as the name indicates, in the northern part of Palestine. It now emerges that the demand for cotton by the French was such that it made even a long and unsafe journey from Jerusalem to Sidon a worthy undertaking for the local merchants. And there was the third context, which is the focus of this work—that of the guild system. The Ottoman authorities had no predetermined preference in this conflict between the two guilds, each of which had to cater to a certain need in the local economy. The main concern was that nothing impair the system as a whole; hence if at one link of the entire chain the rights of one guild were infringed upon by another, the kadi took a firm position that they be restored, thus enabling the smooth functioning of the entire mechanism.

The extent to which this kadi's ruling was carried out is unknown to us. The commercial links between Marseille and Sidon, and then with Acre, became increasingly tight in the 18th century as cotton maintained its primacy on the list of goods exported from Palestine. The archives of the Chamber of Commerce of Marseille, where these processes were amply documented, focused particularly on the cotton trade but contained almost no references to a continued flow from Jerusalem or Ramle.²⁵³ Nor did the court proceedings from that century relate to these or similar issues. It may well be that the guild heeded the instructions issued by the kadi, and refrained from sending more spun cotton to Sidon and its vicinity. If they were still involved in the European trade, this would have been directed through the port of Jaffa, which underwent substantial development during those years.

The guild of cotton merchants maintained its high 17th-century profile in Jerusalem for another 100 years, until the beginning of the 19th century and beyond. Young boys were placed by their fathers as apprentices with old masters to be trained "on the job"; new guild heads were appointed by the kadi in the same pattern we have described for earlier years.²⁵⁴ By the mid-18th century the cotton merchants' market (*sūq al-qatṭānīn*) had severely deteriorated, causing great concern among the neighbors: they came to the kadi, reported its deplorable condition (*kharāb*, i.e. dilapidated) as well as that of

²⁵³ See my *Palestine in the 18th Century*, pp. 128-137; R. Paris, *Histoire du commerce de Marseille, Le Levant*, vol.5 (Paris, 1957), pp. 399-400. For statistical data on French commerce with the ports of Acre and Sidon see, e.g.: ACCM, série J.823; ACCM, L₁ files 7-32; Archives Nationales (Paris), série B₁1018.

²⁵⁴ JS, vol. 214, p. 16; vol. 232, p. 178; vol. 254, p. 181.

the adjacent al-Shifa bathhouse, both of which had become centers for social misfits, and they requested his help in redressing the situation. The following year, in April 1754, the leaseholders could report a massive influx of money to the structural repairs and refurbishing of the 26 shops inside the recently restored market.²⁵⁵ As noted earlier, members of other guilds leased some of these shops, but cotton merchants also continued to occupy another part of that market and to work from there. In 1782 there was a further deterioration of the same market, coinciding with a general decree sent to Jerusalem from Istanbul concerning the sale of spun cotton. The established procedure whereby any such merchandise (as well as tobacco) was to be sold only in particular shops, to enable the systematic levy of taxes, was to be discontinued. These commodities (exempt as they were from all taxes) would from now on be sold at any shop in Jerusalem, and to any bidder—a clear attempt to encourage the local guild members to do more business: this new principle, which opened new venues to potential buyers who might thus more readily come to do business in tax-exempt Jerusalem, would amount to raising the guild members' level of competition with their peers in other towns, particularly the outlets in the main Mediterranean ports.²⁵⁶ This, indeed, was a much more promising way of improving the conditions of these Jerusalem merchants than the reality that emerges from the reports of members of the same guild who resided in the neighboring town of Bayt Jala: in 1741 several of its cotton merchants complained to the kadi about their Jerusalem peers, who were forcing them to share the various impositions (*maghārim*) required of them by the local authorities. The kadi supported their complaint and declared all Bayt Jala cotton merchants exempt from the Jerusalem impositions, but also announced that they must not purchase any cotton in Jerusalem in the future.²⁵⁷ Improving the potential conditions of competition in Jerusalem was not only more logical from a purely economic perspective but also more promising than the arbitrary imposition of fiscal regulations on others, a policy that could more easily be evaded and therefore was less auspicious than the new, more liberal one.

Although most of the guild's members—over 15 during different years of the 18th century—were Muslim, it also included several

²⁵⁵ JS, vol. 237, p. 300; vol. 238, p. 16.

²⁵⁶ JS, vol. 256, p. 37.

²⁵⁷ JS, vol. 231, p. 68.

Christian colleagues who were regarded as equal members. The growing demand for cotton in the Palestinian ports quite naturally had an effect on prices in more remote regions, Jerusalem included. In 1745, for example, the administrator (*mutawallī*) of the Khasseki Sultan endowment, who was also the customs officer of the port of Jaffa, forced upon members of this guild—Muslim and Christian alike—a mandatory purchase (*tarḥ*) of cotton at a price 25% higher than its current market value. They did not have much choice but to obey him, but six months later this proved to be a sound investment: the price rose by more than 50% over the one they had paid. They refused to pay him this difference, and only as a result of the kadi's intervention agreed to the payment of an extra 40%. These fluctuations in such a relatively short time usually reflected an unexpected upsurge in demand (e.g. the sudden arrival of boats from France with large commissions for cotton of any kind), within the wider upward trend of the above-mentioned European quest for cotton. For the guild members these changes entailed potentially large margins of profit, substantiated, among others, by the few examples we have of cotton merchants' inheritances (e.g. a case in 1796 where a cotton merchant left an unusually large sum in cash—1576 *zolta*—as part of an even larger inheritance).²⁵⁸

27. *Weavers* (ḥā'ik, ḥayyāk)

The weavers' guild was the main consumer of spun cotton, which they used for weaving cotton cloth. Although usually referred to by the just-mentioned general term, the full name of this guild conveyed a more precise idea of their specialty: "the weavers of cotton cloth" (*ḥuyyāk al-qumāsh al-quṭn*). The fabric they wove had to be produced according to specifications set by the kadi: 1 *dhirā'* wide, 20 long;²⁵⁹ in case of failure to comply with this standard, the price to be charged was to be lower than the official one.

This guild's general structure was not basically different from the general pattern. Its head was recommended by a large group of members who came to the court, then approved by the kadi who issued the appointment, with no time limit for tenure. As long as he treated all members equally, justly distributing among them the raw materials and other provisions, as well as the impositions set by the

²⁵⁸ JS, vol. 231, p. 68; vol. 233, pp. 309-10; vol. 279, p. 71.

²⁵⁹ The former "small", the latter, "Istanbul" *dhirā'* (MA, vol. 1, pp. 108-9).

governor, the *shaykh* went on discharging his responsibilities over all the professional activities of the guild. Over and above his religious integrity and honesty, his professional proficiency was the most important feature taken into account whenever the appointment of a new head was considered. Ongoing misconduct in these spheres could bring about his disqualification, either at the kadi's initiative or even upon the head's own request. Thus in 1687, for example, the poor Arabic of the primarily Turkish-speaking Turcoman head of the guild was cited as a liability in his relationship with the Arabic-speaking guild members, but he was actually fired because of his failing health and advanced age.²⁶⁰ The following year, it was the weavers' initiative that brought the members to the kadi requesting that he replace their head, mainly because of what they described as wrongdoings. During the year that he had been in office he had besmirched them in the eyes of the authorities, levied a variety of unlawful and unjustified charges from all guild members, and occasionally simply extorted sums of money from them. The kadi did fire him for all those reasons, but two years later, in 1690, he was once again filling the same position, when a smaller number of guild members than before requested that the kadi dismiss him and nominate a more reliable new head instead.²⁶¹ One general feature seems to hold true: throughout the entire 17th century and beyond, the guild members very conscientiously tried to keep a well-qualified and reliable *shaykh* in charge of their professional activities. A recurring element, therefore, was that quite a number of heads of this guild came from the same or related families (e.g. Ibn abi Zar'a in the 1630s, '60s and '80s).²⁶²

Close family ties were also a common trait of ordinary guild members. The Turkish-speaking head apparently had this and other relevant qualifications that won him the support of other, ordinary, mostly Arabic-speaking guild members. If we look at the list of names that emerges from the different court cases involving this guild, the Turkish connection seems much wider. Time and again we encounter many members designated as "*al-rūmī*", usually to be interpreted as "the Christian" of a Greek (*rūm*) Orthodox persuasion. However, a closer look at their names reveals that they were Muslims: they had authentic Muslim names (e.g. Muhammad or Mustafa), and when-

²⁶⁰ MA, vol. 1, p. 101.

²⁶¹ MA, vol. 1, pp. 102-3.

²⁶² MA, vol. 1, pp. 97-103.

ever their father's name was appended, it was with the ordinary *ibn* for "son of", rather than *wuld* (Turkish: *veled*), which designated a non-Muslim. These *al-rūmī* weavers indicate an origin emanating from somewhere in the European provinces of the Ottoman Empire, the part known as Rumeli (possibly even from Anatolia). They had probably belonged to Christian families converted to Islam in those regions at a much earlier stage, and by the 17th century were indistinguishable from any other Muslims. They may have brought along with them certain professional expertise in the field of weaving that had been developed in their original provinces, then transplanted to the Arabic-speaking provinces, Jerusalem included.²⁶³ Their very substantial presence in this guild may have been related, after all, to the above-mentioned Turcoman head (and relatives of his, e.g. his father before him, or other Turcoman members); both elements were of a somewhat undefined origin, chosen for techniques and other assets they were privy to, and most appreciated for all these by the rest of the guild members.

The court cases referred to earlier, however, contained some Christian names as well. These were related to as "the protected [people]" (*al-dhimmī*), or "the Christian", and in a few cases they were, actually, at the very core of the recorded *sijill*. Thus, for example, we discover that in 1672 the weavers' guild contained within it three separate Christian sub-categories—Greek Orthodox, Armenian and Assyrian (*siryān*). Each one of these had a weaver of the relevant denomination in charge of its members (*mutakallim*), attending to their needs and guarding their particular interests. Thus, when the Jerusalem governor charged the entire guild with the supply of 60 cotton tunics that served as basic garments (*thawb*)²⁶⁴ for his entourage, the head of the guild, himself a Muslim, aimed to have 80% of them

²⁶³ In another town of Palestine, Safed, a similar pattern was noted earlier on: Jewish immigrants who had brought their skills from Spain to Salonica moved on to Palestine after the Ottoman conquest in the 16th century, and through the use of fulling techniques imported to there turned it into a center of textile production (cf. Cohen and Lewis, p. 61).

²⁶⁴ Cf. S. Weir, *Palestinian Costume* (London, 1989), pp. 48-9, 51, 54-5. This cotton shirt is described as "a plain long shirt or tunic (*thōb*) [that] was the basic garment of both villagers and bedouin [in Palestine]", distinctly different from women's *thawb* (*ibid.*, *passim*). For a detailed description of the cotton-growing and the textile industry in Nablus and its hinterland in the 19th century see: B. Doumani, *Rediscovering Palestine: Merchants and Peasants in Jabal Nablus, 1700-1900* (Berkeley and Los Angeles, 1995), pp. 103-30.

supplied by its Christian members, the rest by the Muslim ones.²⁶⁵ This was rejected by the former, who claimed that the latter constituted the largest part of the guild in terms of number of looms available and volume of work generated. The court was, therefore, requested to dictate a less biased approach to the head of the guild, and indeed the kadi adopted the modified proportion they suggested: only 66.66% would be provided by the Christian weavers, whereas all the rest, amounting to 33.34%, would become a liability to be borne by the Muslims. In a separate ruling issued the same day, the Christian weavers suggested an internal breakdown of their quota: two-thirds of their 66.6%, i.e. 44.4% of the entire imposition, would be furnished by the Greek Orthodox, the rest to be borne by the others at a similar proportion of 2:1: 14.8% by the Armenians, 7.4% by the Assyrians. Since these were all proportions proposed by the Christians, one would assume that they projected a more accurate picture of the guild's makeup from their perspective. If these figures are taken at face value, this would mean that the largest group within the guild was Greek Orthodox, and that all in all this was a predominantly Christian profession. On the other hand, whenever the proceedings bring up a list of names of weavers, most of the 10-20 given at different points in time are Muslim, as, indeed, were the heads of the guild and their assistants (*naqīb*). This comports with the argument propounded above by the Christians, i.e. that although the Muslim weavers' overall volume of production was higher than theirs, they insisted only on a 2:1 proportion between them and their Muslim colleagues. We tend, therefore, to tread midstream on this issue: the weavers' guild undoubtedly contained a substantial Christian element, and the figures just quoted probably constitute true and reliable information. The proportions cited earlier, however, are slightly slanted and include a quotient that the Christians agreed to add to their undertakings by way of placating the Muslim majority.²⁶⁶ As we have seen in other instances, some of the guilds contained Muslim as well as non-Muslim members, and although the basic con-

²⁶⁵ This was definitely a liability: in many cases the governor did, eventually, pay for the goods, but at a price substantially lower than the normal, and not necessarily in cash. In 1634, when the governor received 150 cotton shirts (*thawb*) he had demanded from the weavers' guild, he paid them in a consignment of soap amounting to 187.5 *raṭl* altogether, calculated at 12 *qif'a mişriyya* each (MA, vol. 1, p. 109).

²⁶⁶ MA, vol. 1, pp. 106-8.

cept was one of equality among all members, the particular character of the different components was always taken into account, with a certain built-in prejudice against the Christians. In other words, the Christian weavers were always aware of the fact that they lived and prospered within a Muslim state, and hence fully agreed to pay more than pure statistics would have warranted.

At the inception of the 18th century we acquire another insight into an inter-guild problem that was earlier addressed in our discussion of the activities of the cotton merchants' guild. In July 1700, a group of weavers complained to the kadi of unusually large purchases of spun cotton by the cotton merchants' guild. The established routine was, according to them, that owners of spun cotton would bring it to be sold for cash at the wad market (*sūq al-bāshūra*),²⁶⁷ a routine the weavers were only too happy to comply with. When, on the other hand, the sellers insisted on exchanging their merchandise for raw cotton, this would be performed by the cotton merchants. The only other involvement of the latter, they argued, was to offer the use of their weighing facilities to the weavers, naturally for a price. Other than that, the weavers vigorously objected to any purchases of spun cotton by the other guild, which actually amounted to undercutting their own supply. The kadi consulted a variety of experts in this and related fields who supported the weavers' allegations, whereas the cotton merchants insisted that they bought spun cotton. The kadi then adopted the weavers' line and banned the cotton merchants from any further unauthorized competition with them.²⁶⁸

This conflict of interests between the two guilds was a new one, though not as recent as the court record suggests. About 50 years earlier a similar case was deliberated by the Jerusalem court, except that this one was triggered by a complaint of the cotton merchants.²⁶⁹ The gist of it, however, was very similar: an attempt by the weavers to block any purchases of spun cotton by the cotton merchants. There, too, this was described as a new development, in which one guild was trying to infringe upon the well-established rights of the

²⁶⁷ In the 16th century we have encountered a somewhat dubious *sūq al-khaṭr wa'l-bāshūra*, which we suggested to be a possible misspelling of *sūq al-ghazl wa'l-bāshūra* (in my "Local Trade", *AAS*, vol. 12, pp. 7-8 and note 12). The present *sijill* substantiates our earlier hypothesis by establishing an intrinsic link between these two elements.

²⁶⁸ *MA*, vol. 1, pp. 105-6.

²⁶⁹ *MA*, vol. 1, pp. 104-5; vol. 2, p. 143.

other. However, the main reason then, and in our case as well, was a steadily growing demand for spun cotton, caused by the French merchants, and pushing prices up. The rising price also entailed higher profits for whoever dealt with these items, hence the growing incentive for the cotton merchants to trespass the conventional hunting grounds of the weavers. At the turn of the century the French had no direct involvement in the trade of Jerusalem, but their intensifying commercial activities in other parts of Palestine must have directly affected the process initiated several decades earlier. Although this time, unlike the 1654 case, the weavers do not revive the old argument of forbidden sales of cotton to the European Christians, the long shadows cast by the coastal enterprises of the latter reach as far as the hinterland of Jerusalem. The kadi, nevertheless, supports the established order of the existing economic structure: he upholds the weavers' arguments, prohibits the cotton merchants from encroachment, new or old, and objects to the introduction of any novelties—regardless of the possible benefit that might accrue to the local Palestinian economy.

Moving into the 18th century, we do not find any changes in the general guild setup described so far. The kadi kept appointing its heads upon the recommendation of its members, Muslim and Christian alike. He was, therefore, regarded as head of all the Muslim and Christian weavers.²⁷⁰ The equivalent of our present-day concept of “affirmative action”, described above, was very conscientiously applied whenever the governor demanded that the weavers provide him with cotton *thawb*, a basic body garment, adhering to the same proportion of 2:1. Moreover, an attempt was made in 1715 to weaken the Christians' position: according to an allegation made by the Muslim members, whenever the governor's demand did not exceed ten *thawbs* it should all have been borne only by the Christians. The Christians objected to this idea, which from their perspective could rightly be interpreted as setting a dangerous precedent. The Muslim members were asked to present the court with a copy of an earlier decision allegedly confirming their claim, but failed to do so. Thereupon the kadi ruled that no change should be introduced that would alter the above symmetry, regardless of the size of the governor's imposition.²⁷¹ In 1722 another attempt was made, this time to charge

²⁷⁰ JS, vol. 209, p. 505.

²⁷¹ JS, vol. 209, pp. 468, 472.

the weavers' guild (where the Christian members were expected to chip in the lion's share) with the provision, free of charge, of light cotton blankets for the governor—unlike tent canvas, for which they were always paid. We do not know whether this was also rejected by the kadi, but all of these instances (and others later in the century) add up to a general tendency to inflict increasingly burdensome demands on the weavers—not so much because of any hardening of the government's treatment of the “protected people” living in the society, but rather as an attempt to tap the general rise in their business that we saw starting somewhere around the mid-17th, then proceeding and intensifying throughout most of the 18th century in Palestine.²⁷²

A final word on the weavers' shops. These were not located in a commercial concentration of similar workplaces, but were rather to be found all over town, dispersed throughout all the neighborhoods. Moreover, quite often a weaver's shop would be located in the basement of an ordinary residential building, and though this may have caused friction with the tenants, we have come across no reference to such friction in our sources. Each shop contained sundry pieces of equipment, the most particular element of which was the looms, usually not exceeding ten in each (priced at 480-750 *fidḍa* silver coins per loom).²⁷³

28. *Dyers* (ṣabbāgh)

The value of the newly woven cloth appreciated once it was put through the next stage in the chain of production, i.e. the application of color. This was a long-established tradition in the entire Ottoman Empire and beyond, predating Islam and undergoing vast expansion under its rule. Use of the English term “dyeing” in our context calls for certain qualification, so that it will convey the precise meaning it bore at the time and place we are dealing with. The Arabic term *ṣabbāgh* was used in Ottoman Jerusalem only for dyeing cloth with indigo, a substance imported from India (as its name indicates) since Greco-Roman times. The Arabic equivalent is *nīl* or

²⁷² JS, vol. 217, p. 378; vol. 233, p. 162.

²⁷³ JS, vol. 207, pp. 229, 349, 365; vol. 208, p. 76; vol. 209, p. 134; vol. 217, p. 227; vol. 218, pp. 168, 253; vol. 220, p. 191; vol. 221, pp. 161, 465, 566; vol. 223, p. 328; vol. 234, p. 129; vol. 242, pp. 134-6; vol. 252, p. 29; vol. 259, p. 75; vol. 266, p. 89; vol. 286, p. 95.

nīla, from the same Sanskrit word meaning dark blue.²⁷⁴ Deliberately avoiding the question as to whether the biblical term *tekhelet* means that a similar substance was already in use in ancient Palestine, or introduced there in later years, we should, however, point out that from the 10th century A.D. onwards, Arab geographers singled out indigo crops in Jericho and other Jordan rift valley areas (*ghawr* in Arabic, hence the locally grown indigo was termed *ghawrī*).²⁷⁵ No wonder, therefore, that as of the early Ottoman days in Palestine we come across official references to this particular crop, grown about 20 miles east of Jerusalem.²⁷⁶

Considering this historical and geographical background, the dyers' guild was a most natural phenomenon in Jerusalem. During the 17th century, with the growing pace of other guilds involved in textile production, we witness a similar rise in the activity of the dyers. From the mid-'60s to the mid-'70s, just under 20 names of guild members can be identified as attending court sessions (along with other unnamed colleagues), whereas a decade later, in the late '80s, their registered number exceeded 20, indicating (with their unnamed "other" members) an even much larger guild.²⁷⁷ Many of them were descendants of the Prophet (*sayyid*), or bore the honorable title of *hājī*—all Muslims, with just one instance of an Armenian who tried to practice this craft, undoubtedly attracted by the potential profit to be made in this fast-growing guild. In 1634, however, he was forbidden by the kadi from proceeding with the practice of this craft.²⁷⁸ In some cases we could easily identify fathers replaced by their sons as guild members, passing on their professional knowledge within the family, which was also true for several elected heads of the guild, although the actual appointment was always issued by the local kadi.

Indigo consignments brought into town were put under the guild

²⁷⁴ J. Balfour-Paul, *Indigo in the Arab World* (Curzon Press, Richmond, Surrey, 1997), pp. 10, 43. For an impressive sample of several shades of this color of textile, taken in contemporary Yemen, see *op cit.*, frontispiece. See also: "nīl" in *EP*².

²⁷⁵ J. Balfour-Paul, p. 19.

²⁷⁶ JS, vol. 57, p. 386 (for a Hebrew translation of this *sijill* see my *Jews in a Moslem Religious Court (the 16th Century)*, pp. 265-6.

²⁷⁷ MA, vol. 1, pp. 264-8.

²⁷⁸ MA, vol. 1, p. 269. Unlike Ottoman Damascus, where a significant Jewish presence was noted among the dyers (see Balfour-Paul, p. 76), the dyers' guild in Jerusalem had no Jewish presence at all—neither in the 17th nor in the 18th century. The one Jewish dyer noted by Warren in the 19th century must, therefore, have been an exception to an already well-established rule (Balfour-Paul, p. 72).

head's supervision, to be distributed later among the members "according to their ranks" (*marātib*). This seems to contradict the usual formulation that all raw material must be distributed "equally". The principle was maintained, but practical considerations were also kept in mind: as we saw in the case of several other guilds (e.g. the bakers and the millers), the size and volume of the working facilities at each member's disposal differed, hence the modified quantities of raw materials they were regularly offered. This does not necessarily have to do with any formal "rank"; the only rank we came across in our texts was "master", and he was probably entitled to a larger share than ordinary members. Hence the way the head of the guild treated all members may be described as equality applied according to changing personal variants.²⁷⁹

Most of the 17th-century documents deal with the earliest stage of the process, i.e. the provision of indigo, which seems to have been a major concern of the head of the guild. Even when consignments of indigo did not arrive through his good offices but were imported to Khan al-Sultan marketplace by their owners, their distribution had to be executed with his knowledge and consent. When, however, as sometimes happened, a dyer personally purchased some indigo outside of Jerusalem and had it brought to town on his account, he was to make it available to all of his colleagues at a 20% commission. The most natural source of indigo was the Jordan rift valley that gave its name, as mentioned, to the *ghawrī* brand, usually brought into town by its growers and sold to its bidders through the head of the dyers' guild. However, another source was more distant Egypt, where guild members would send their money in advance, then import the product as their own. There were other, even more remote sources of supply: *al-lāhūrī*, originally from Lahore, India, and *al-'amālī*, probably from another source in the East; all arrived through the annual *hajj* caravan or were shipped over a maritime route. All the different brands were imported by the *jalb* merchants, and here too the same rules applied: their sale and distribution to all of the guild members were to be accomplished through the head of the guild according to the long-established internal regulations. At least some of these consignments, perhaps most of them, came via Egypt, more commonly known as a source of rice supply; hence the Khan al-'Urz, the main outlet for rice imported from there, served also as the

²⁷⁹ MA, vol. 1, pp. 262-8.

distribution station for indigo.²⁸⁰ The established custom of channelling all incoming indigo through a central point, either the one just mentioned or the larger al-Sultan market, was adhered to so as to properly control price and quality, both of which constituted an important element in defining the final product and its eventual market value.

The dyeing process involved profound professional knowledge that was kept secret within the guild and passed on, in most cases, from father to son in the same families. Judging by contemporary descriptions, these were not just unknown to others but also unpleasant; they involved the use of reeking ingredients that would usually be quite repulsive to the uninitiated.²⁸¹ There were, nevertheless, new members who felt attracted to this line of activity, no doubt because of financial prospects it offered. Thus, for example, in 1714 some 15 guild members asked the kadi to appoint as their head a certain military officer (*bölükbaşı*), and once this somewhat unusual choice was confirmed, the only condition attached was the usual one that they must obey all of his decisions, particularly when he distributed among them all the indigo that arrived in town.²⁸² It seems to have been a satisfactory arrangement since seven years later the same person was still running the guild's affairs, distributing the imported indigo at the marketplace in the presence of all the dyers, who agreed that each of them would receive his quota "according to his state of affairs" (*alā hālīhī*).²⁸³ In 1726 the same regulation was reiterated, amplified by a sweeping ban on interference in this process by anyone outside the guild—including even the peasants who grew the indigo or the Egyptian importers who had it brought to town.²⁸⁴ The above-mentioned officer-turned-dyer was not the only form of involvement of military personnel in matters related to this guild; it seems to have had its attraction for other soldiers. In the same year, 1726, a Janissary married the daughter of a dyer, and since the usual pattern was for marriages to occur within the same, or closely related guild or social group, we may assume here, too, that this mili-

²⁸⁰ MA, vol. 1, pp. 264-8, 271-2.

²⁸¹ For a 17th-century description of the process in Aleppo, and the repulsive smells it involved there and elsewhere, see Balfour-Paul, pp. 99-100, and also pp. 84-8.

²⁸² JS, vol. 209, p. 211.

²⁸³ JS, vol. 215, p. 136.

²⁸⁴ JS, vol. 222, p. 63.

tary person was either a member of the guild or aspiring to become one. A few years later, when another Janissary rented three shops for himself in the "coal market" (*sūq al-fahm*), one of them was specifically "equipped for dyeing".²⁸⁵

The main feature of a dyeing shop was the fermentation vats, in which a concoction of indigo, alkaline, dates and less pleasant ingredients (e.g. animal excrement) slowly fermented on a low fire, closely inspected by the guild experts. These *khābiyas*²⁸⁶ were to be found in several different neighborhoods: Bab Hitta, Bab al-‘Amud, Da’ud street, ‘Arsat al-ghilal, the New market, the Jewish neighborhood. Many of them were installed in shops that constituted parts of endowments, which gave them an opportunity for uninterrupted activity, their changing tenants notwithstanding.²⁸⁷ Moreover, in view of the growing pace of textile production altogether, one might expect new dyers’ shops to be opened: in 1785 we come across eight vats for dyeing introduced "recently" by Muslim dyers near al-‘Amri mosque in the Jewish neighborhood, with the authorization of the administrator of the mosque’s endowment. These being new ones, they involved an investment of 9 *zolta* each, whereas twelve older ones in a shop facing the bazaar were sold 17 years earlier at 5.5 each.²⁸⁸ In 1784 the administrator of the Dome of the Rock endowment gave his permission to reconstruct a dilapidated basement and introduce several dyeing vats there, for the total sum of 200 *zolta*. In 1795 half of a dyeing shop that had formerly been a coffehouse (in itself a most revealing fact as to the interchanging relative importance of these two institutions) was sold for the substantial sum of 283 *zolta*, which probably contained, besides the actual cost of the twelve vats sold, a non-negligible element of property appreciation due to a growing demand. In 1824 these prices shot up higher: two-thirds of a dyer’s shop containing 14 vats was sold for a record sum of 700 *zolta*.²⁸⁹

A few general conclusions, as well as some additional and directly related figures, may be drawn from the foregoing. The value of

²⁸⁵ JS, vol. 221, p. 310; vol. 224, p. 56.

²⁸⁶ See several illustrations in Balfour-Paul, p. 69, plates 2-5.

²⁸⁷ JS, vol. 207, pp. 3, 306; vol. 209, pp. 32, 507; vol. 214, pp. 91, 95; vol. 218, pp. 35, 286; vol. 220, pp. 118, 191; vol. 237, p. 264; vol. 244, pp. 158-9; vol. 251, p. 70; vol. 281, p. 66.

²⁸⁸ JS, vol. 265, p. 20; vol. 266, p. 10.

²⁸⁹ JS, vol. 263, p. 163; vol. 277, p. 118; vol. 309, p. 23.

the dyeing vats, the main element in the entire process, could have undergone certain changes accruing from differences in size and location. However, when the prices paid for them in business transactions are projected against the chronological graph, a more systematic trend emerges. In the early 1720s vats were sold for an average calculated price of 4-6 *zolta* each, in 1734 for 7.5, in the 1740s and 1760-10, in 1766-5.5, in 1768-9, in 1772-6, in 1785-9, in 1795—about 20, and in the early 19th century—50 *zolta*.²⁹⁰ A clear rising graph, with a few fluctuations, is another clue to the general trend suggested already, i.e. a growing demand for the products of this guild, which pushed the prices of dyed cloth up (even if we bear in mind the general trend of inflation) and concurrently increased the profits of the dyers; hence their readiness to offer higher prices for these utensils. The number of dyeing vats in the different shops was also constant: there were usually some five to seven, but there were also a few shops, mainly towards the end of the century, that contained 12 and even 24.

A final, related point concerns the economic status of the dyers. The rising prices discussed above were, quite naturally, paid by people who could afford them, and must have had certain resources. This is even further highlighted by the sums they were ready to invest in equipping or repairing new or old dyeing facilities. In some cases a dyer would even invest money in other lines of activity: in 1788, for example, Mustapha Çelebi al-Sabbagh (“the dyer”) invested 1740 *zolta* in the reconstruction of a rundown soap factory that he leased from the Temple Mount endowment.²⁹¹ This individual was exceptionally well-off, but even more modest dyers were reasonably comfortable. In 1782 an inheritance of a deceased dyer amounted to more than 400 *zolta*, including a house in Bab Hitta and a separate shop he owned.²⁹² Some 35 years earlier another dyer left a much more substantial inheritance, including real estate, a rifle and pair of revolvers, a considerable consignment of indigo (of which the “European”, by now arriving from France, was 30% more expensive than the “Egyptian” equivalent), and debts of several Armenian producers of printed fabric (*başmajî*).²⁹³ In 1782 the kadi ruled alimony

²⁹⁰ JS, vol. 214, p. 241; vol. 218, p. 35; vol. 227, p. 57; vol. 244, pp. 158-9; vol. 251, p. 70; vol. 253, p. 172; vol. 277, p. 118; vol. 309, p. 23.

²⁹¹ JS, vol. 263, p. 163; vol. 268, p. 152; vol. 277, pp. 135-6.

²⁹² JS, vol. 264, p. 80.

²⁹³ JS, vol. 235, p. 7.

payment (*nafaqa*) to a dyer's divorced wife at a higher-than-average rate of 4 *mişriyya* per day. She may well have deserved this raise, but equally valid is the fact that her ex-husband was deemed sufficiently well-off to afford it on a regular basis.²⁹⁴ The work the dyers did must have been quite repellent, given the odors emitted and the irremovable stains on hands and clothing. However, unlike the tanners they went on conducting their trade within the town walls (in the open spaces around the Mooristan, as we are told by Warren in the 19th century),²⁹⁵ and conspicuous as all this made them to their fellow town-dwellers, their economic success was not affected. Hence, the overall conclusion of Balfour-Paul that "generally speaking dyers have in more recent times tended to come fairly low down the social ladder"²⁹⁶ seems somewhat out of tune with the reality that emerges from our own sources. Rather than the element of "mystique", influenced by this European bias, it was their economic ease that accompanied the growing demand for their products, which gave the dyers their "ambiguity", i.e., an acceptability in the local society reflecting their economic status.

29. *Tinters and bleachers* (qaşşār)

The dyers were the most important, but not the only, craftsmen in this field. Although they could produce other colors by adding different pigments to their overwhelmingly dark blue output, it seems that they normally did not get carried away by the rich variety of other hues. However, as human history shows us, demand for other, more colorful cloth abounded from time immemorial. In Ottoman Jerusalem, too, that demand existed, although from the paucity of available information we gather that it may not have been major.

A particular guild of craftsmen, called *qaşşār*, produced cloth of other colors: they would first beat the cloth to bleach it (*qişāra*), then apply colorful dyes to it. The variety of colors they offered was quite impressive: red, brown (*asmar*), green "and other colors". The second general feature of this guild was its overwhelmingly Christian membership. The *şabbāgh* guild, as we saw, was exclusively Muslim,

²⁹⁴ JS, vol. 256, p. 16.

²⁹⁵ "This trade is carried on about the Murestan, the vacant spaces within being taken advantage of for dyeing, and exposing the articles dyed. On a fine day may be seen hundreds of yards of ground covered with blue stuff" (C. Warren, *Underground Jerusalem*, London, 1876, p. 509, as cited by Balfour-Paul, p. 78).

²⁹⁶ Balfour-Paul, p. 75.

and unlike other Arabic-speaking towns, Jerusalem had no Jewish element engaged in this craft. However, the “protected people” who wished to practice this profession could join the *qaṣṣār* guild and become full members. There were also several Muslim guild members, but it seems that the Christian craftsmen constituted the majority.

No wonder, therefore, that in the late 1670s and 1680s, the kadi appointed a Christian to serve as head of the guild. In terms of authority he was no different from his Muslim peers: he was to treat all guild members (approximately ten altogether) equally, and no *qaṣṣār* could undertake any job, big or small, without his explicit authorization. This means that he could regularly supervise both the quality and the price of the work performed by any guild member. In 1691, however, a Muslim dyer was appointed to this position: ‘Abd al-Qadir *al-ṣabbāgh*, who had served as head of the dyers’ guild in 1681, was now entrusted with this separate guild. All members, Christian and Muslim alike, were warned to obey his instructions in matters of professional practice, quality of work and pricing. This was in line with the formulation regularly attributed to any guild head, but in view of the above-described division of labor, and to avoid any misunderstanding as to his authority, it was doubly important to underline it in this particular context.²⁹⁷

30. *Cloth printers* (baṣmajī)

A guild that was not to be found in Jerusalem in the 16th and 17th centuries seems to have emerged sometime in the early 18th century. They were engaged in the craft called *baṣmā*, and the guild members were called *baṣmajī*. The lexicographic meaning of the term is related to “printing”, “printers”, or “dealers in printed matter”, but from the context of the few available documents it seems unlikely that they produced books or any similar printed documents. Their profession did involve an element of printing, but more likely that of floral or other ornamental designs on cloth.

The earliest reference to this craft was encountered in 1744, when a list of belongings of an Armenian included “two *baṣma* body shirts of a European style (*qamīṣ*)”—placing it in the context of textile.²⁹⁸ On another occasion that same year, a group of twelve Armenian

²⁹⁷ MA, vol. 2, pp. 132-3.

²⁹⁸ JS, vol. 233, p. 214; Weir, *Palestinian Costume*, p. 48.

experts (*mu'allim*) in "the craft of *başma*" came to the court and complained of a certain Hanna, a Greek Orthodox, who wanted to practice their profession "with his own hands" without having availed himself of a permit issued by the experts in the field. Not only did he try to involve himself in a manner that was both illegal and damaging to their craft, but more important, no other Christian had ever participated in their professional activities. The only Christian denomination whose members could, and actually did, practice their technique had always been the Armenian. The kadi, quite logically, inquired how this person came to be involved in the first place, and was told that he had been working for one of them, in the capacity of an unskilled laborer. They requested, therefore, that as long as he did not attain their explicit permission, this person would refrain from an independent or related practice of their profession, and would not do or even say anything that might be harmful to their guild.

We can disclose no information as to how this dispute was concluded, but the attempts of unaffiliated Christians to become part of the guild did not cease. Eleven years later, in late June-early July 1755, two documents shed more light on the guild.²⁹⁹ In two somewhat different versions, eleven Christian members of this guild (whose names are given without any reference to their denomination) are reported to have come to the court and launched a complaint against a certain tailor and his father known to have formerly served as a barber. These two, claimed the guild members, had been systematically practicing their craft, though they did not belong to this guild and were concurrently practicing another profession. The second version accused a larger number of Christians, who in the course of one year allegedly had made a handsome profit of 5000 *zolta* that they would not share with others.

Whether the accusation was mainly made as an attempt to have them redistribute their profits and share at least some of them with others, or, as suggested in still another version, just to stop infringing on the Sultan's recent prohibition against the same people simultaneously practicing two differing professions, the pertinent features that emerge are clear. This guild of *başmajī* was made up exclusively of Armenian Christians who applied their craft of *başmā* by printing on cotton cloth (possibly imitating Indian fabrics). The Christian connection is not surprising, since in the Ottoman Empire

²⁹⁹ JS, vol. 239, p. 42.

the printing of books was introduced by non-Muslims, and only in later years, in the 19th century, did Muslims take part as well. The rush by members of other guilds to join must have been because of the handsome profits that could be expected from practicing this new craft—whose established members were doing their utmost to keep it blocked. And last but not least, this was a new line of activity, perhaps indicating a change in style and taste, the introduction of which coincided with the rapidly growing textile industry in its different stages in 18th-century Palestine.

31. *Cloak weavers* (‘abawī, bushūtī)

In Jerusalem’s cold winter nights and cool summer nights, as well as throughout the entire high-plateau and hilly areas stretching to its north and south, cotton clothing was not sufficiently warm to wear alone. Another layer had to be added—the hand-woven cloaks (‘abā’a, ‘abāya, plural: ‘iba) made of wool. The best and most popular was sheep wool, provided by the neighboring bedouins, who also supplied the town with their sheep for meat. However, merchants were willing to traverse long distances in their quest for the raw material. In the second third of the 17th century, for example, commercial ties intensified between Jerusalem and the remote but most important port of Sidon. We have already seen how this conduit was used for the export of spun cotton from Jerusalem; in the other direction, sheep wool was purchased in bulk, then transported to Jerusalem. A detailed transaction reported in 1632 describes how, at an impressive profit, this commodity was sold in Jerusalem in exchange for cloth of various colors and other textiles—*abrād* (?)—that were then all sent back to the maritime outlet.³⁰⁰

The extensive trip just described was taken by two merchants in search of wool for Jerusalem, and the profit they subsequently made is an indication of a growing demand for this commodity. This was also reflected in the guild’s activity. Throughout the 17th century, at a relatively quick pace, heads of the guild were appointed, replaced at the guild’s request, and sometimes reappointed at a later date. Even more telling were the extensive name-lists of the members who attended the court sessions at which these appointments were made. In 1629 two lists were drawn up separately: ten Muslim members

³⁰⁰ MA, vol. 2, p. 61. For a variety of photographs of ‘abāya and *bisht* see Weir, *Palestinian Costume*, pp. 48-50 and *passim*.

and seven Christians, the latter enjoying the guidance and supervision of a *shaykh* of their own, who had the unusual sobriquet of “the nun’s son” and served, no doubt, under the leadership of the Muslim overall head of the guild. In later years there were always several Christian members within this predominantly Muslim guild, without any reference to the existence of a structured Christian subunit, and the kadi’s almost ritual warning that the head must treat all members “equally” must have had a special resonance for them. As the century progresses, we come across more names of members: in the mid-1630s there were 17 guild members, in the late ’40s there were 20 Muslim and 6 Christian members, in the mid-’50s approximately the same number of guild members attended the appointment at the court session, and in 1663 their number reached 27 (including 3 Christians).³⁰¹

Their main occupation was weaving the broadcloth out of the wool yarn that had been spun earlier. The cloth was woven at a fixed width—*faṣl athmān al-ṣūf*—then cut and sewn into cloaks. The main products were the ‘*abā’a*’ cloaks, but other items were also manufactured: woolen coats (*bisht* / *bushūt*), blankets for saddles (*baṭā’in al-ruḥḥāl*), *shawāt shāmiya*, pelts (*shu’ūr*), and a variety of other wool products, made of coarse as well as fine wool. The head of the guild, always a reliable, highly professional, and honest, righteous person, was in charge of the purchase of raw material, the spinning of the yarn and the weaving of the cloth according to well-established standards. He was also involved in all that concerned the sales of the final products, and the supply (at a reduced price, sometimes hardly paid for at all) of certain quantities of cloaks and coats for the governor. Membership in the guild involved the right to produce and sell the above variety of products, but it also meant helping to defray the impositions of the authorities. This naturally affected the price of the final products, or the profits of the craftsmen; hence they sought to increase the number of those who would contribute. In 1675, the guild’s head complained that more than 20 merchants summoned to the court were not willing to help supply the mandatory wool cloaks for the governor. When they admitted this was true, the kadi banned them from any future display or sale of the guild’s various products.³⁰²

³⁰¹ MA, vol. 2, pp. 47-54, 59.

³⁰² MA, vol. 2, pp. 47, 50, 55, 59-60.

The spinning of the wool yarn was performed not only by the weavers' guild but also by women who worked in their homes. The head of the weavers' guild was in charge of quality control of their products as well. In 1630 complaints were brought against the Jewish women spinners, who, according to the then-head of the guild, were cheating on the quality of the yarn they provided. Instead of producing pure white wool yarn, they were weaving into it different low-quality threads that could not easily be traced from the outside. The kadi warned the head of the Jewish community that he must have them discontinue this practice, and revert to the technique applied previously: avoiding low-grade, colored threads, and producing skeins of unadulterated (*shalal*) yarn only.³⁰³

32. Tailors (khayyāt)

The tailors' guild (*khayyāt*) was multi-ethnic, including Muslim, Christian and Jewish members. In 1632, for example, its overall membership of 23 was made up of 9 Muslims, 8 Christians and 6 Jews. In 1681, when the number of Christian tailors grew, 10 of them came to the court and asked that one of them, an Armenian, be appointed head of their section; their request was granted. His main responsibility was to see to the equal distribution among them of profits and liabilities "according to the old custom". He was, however, subordinate to the overall head of the entire guild, who was also appointed by the kadi, upon the recommendation of the other members. In 1632, and probably on other occasions as well, the head of the guild was one of its "masters" (*ustādh, ūsta, ūṣṭā*), expert in the various lines of their activities: "hemming and shredding, stitching and attaching, cutting and sewing".³⁰⁴ All this professional know-how was passed on within the same families from one generation to the other; thus when the above candidate was put forward by his colleagues in the stated year, it was pointed out to the kadi that his father too had served in that capacity.³⁰⁵

The general pattern in which preference was given to members of the same families does not necessarily mean that newcomers were not welcome. Naturally, they were expected to have a certain expertise in the field, but once this was confirmed by the guild's head,

³⁰³ MA, vol. 2, p. 58.

³⁰⁴ "al-kaff wa'l-shall, al-darḥ wa'l-tanbūl, al-qaṭ' wa'l-tafṣīl".

³⁰⁵ MA, vol. 1, pp. 129-31.

they could join as equal members. The kadi's perspective, however, was slightly different: he did not overrule the latter's decision, but insisted that the newcomer provide a local person who would vouch for him. As we have seen, this was not an exceptional demand but rather the rule. Every guild member, new or old, was expected to furnish the court with a fellow tailor who reliably vouched for his professional behavior and undertook to step into his boots if he failed to report to the court whenever summoned, or if he proved unable to deliver merchandise he had promised.³⁰⁶ In this way both the guild's structure and performance were reinforced: on a functional level everything was held together by the mutual bond between the guild's head and its members, while the personal formal pledge of each of them, to be honored even when the person directly involved was not available, guaranteed that no one would evade his responsibilities.

Although this was a recurring administrative pattern to be found in other guilds as well, its relevance in this context was more than just a matter of accepted practice. Cloth was then, as it is now, used first and foremost for sewing garments, which was this guild's main occupation. However, during the period under review, in Jerusalem as in other towns of the Ottoman Empire, cloth was regarded as the most popular—and reliable—way of saving. Eighteenth-century inheritances, for example, were very often strewn with a variety of fabrics, old and new, large and small, that were quite valuable and must have constituted a major element in every household. Providing a tailor with a piece of fabric to be cut and sewn meant, therefore, risking a substantial sum of money; hence the particular relevance of the routine described above. If we take another example, that of a court case from early 1712, the financial importance of fabric is further confirmed: two Christian partners, who had invested 7500 *ghirsh 'adadī* in a consignment of different kinds of cloth, later made a handsome profit of 5000 when they sold it.³⁰⁷

Tailors, who primarily dealt with cloth, which was often provided by their customers, also had at their disposal other fabrics of various kinds, and therefore must have had certain resources of their own. In several cases where we came across marriages in tailors' families, the bride-money paid was quite substantial: 150-250 *zolta*

³⁰⁶ MA, vol. 1, pp. 131-6.

³⁰⁷ JS, vol. 207, p. 165.

from the late 1720s to the mid-'40s.³⁰⁸ In 1727 one master tailor sold a house with two weaver's shops in its basement for a total of 190 *ghirsh* 'adadī. A year later an inheritance of a certain Shahin, another master tailor, amounted to 250 *ghirsh*, including a house worth 80 *ghirsh*. In 1760 yet another tailor sold one-third of a building he owned for 150.³⁰⁹ These properties were not concentrated in a particular part of town but dispersed through different neighborhoods, and as we have just seen even included shops used by other guilds. The tailors themselves did not need a separate workplace, since they usually worked from home—hence the importance of owning, or at least renting, a house for themselves. And on a final note, the profits they made enabled them to invest in other fields as well: in 1730, for example, a master tailor was a partner in the purchase of a substantial consignment of wheat, worth 150 *ghirsh*.³¹⁰

The main function of the tailors' guild was the sewing and sale of garments. Quite often this would be performed by the same tailor for a given individual, but it might also be divided into the two separate components of the process: production and sale. Late in 1717 a certain *sayyid* Hasan launched a complaint to the court against the head of the tailors' guild. The latter, went the complaint, would not let him sell a variety of sewn-up clothes: *baghāzī mukhayyāta*, *qumṣān mukhayyāta* (European-style body shirts), *qannālīn mukhayyāta*. The argument the head resorted to was that only the tailors were entitled to sell all of these, since they also shared in the impositions levied from the guild. Hasan produced a legal opinion (*fatwā*) of the Jerusalem *muftī* to the effect that the head of the tailors could not interfere in the free sale of products of his guild because this would constitute a monopoly (*ihtikār*), which was forbidden by law. The kadi ruled accordingly, prohibiting any future interference in or obstruction of the sale or purchase of clothes, be they sewn or not.³¹¹

It would be interesting to compare this case with a similar one, cited earlier and dated 1675, in which another kadi took an opposite view: when the cloak weavers complained of the sale of their products by independent merchants, he adopted the argumentation pronounced by the guild, and prohibited any future sale of wool cloaks by people who did not partake in the payments of all impo-

³⁰⁸ JS, vol. 223, p. 70; vol. 228, p. 24; vol. 233, p. 90.

³⁰⁹ JS, vol. 221, p. 465; vol. 223, p. 38; vol. 243, p. 33.

³¹⁰ JS, vol. 223, p. 363.

³¹¹ JS, vol. 212, p. 40.

sitions levied from the guild. It may well be that the different personalities of the two kadis in question contributed to their adopting different decisions, but the time that had elapsed may have played an even greater role. The ruling of the early 18th-century kadi reflects a weakening of the all-inclusive—yet exclusive—nature of the guild that is projected by the late 17th-century decision. The nature of the items concerned, though clothing in both cases, was diametrically opposite from one basic perspective: woolen cloaks were an exclusively local product that was not exposed to any external competition, whereas the tailors used both locally woven and imported European textiles. Throughout the 18th century these and other imported goods constituted a growing segment of the entire market in Palestine, confronting the tailors (and other guilds) with competition that weakened their erstwhile exclusive leverage; hence the kadi's leniency towards the merchants, as opposed to the artisans. In a way, those two contradictory decisions illustrate the beginning of the impact of European mercantile penetration into the local market, first weakening, then impairing, and finally destroying many and perhaps most of the local guilds. But as this part of the process took place in the 19th century, it falls outside the scope of this work.

33. *Silk merchants* (qazzāz, 'aqqād)

The main raw material on the tailors' purchase list was different sizes of cloth from different sources. There were other items, too, smaller in size and less expensive, but equally vital for the production line: threads and buttons. These were supplied by a different guild, that of the silk merchants (*qazzāz*, 'aqqād).

In 1719, for example, a Christian tailor owed a Jewish merchant selling sewing matériel ('aqqād) some 62 *ghirsh* for the purchase of silk and silk threads (*qaytān wa-ḥarīr*), as well as buttons.³¹² The presence of a Jewish merchant in this craft, very closely related to, perhaps identical with, the silk merchants, is not surprising: we have already seen several Jewish tailors, and on an earlier occasion, back in 1640, a row seems to have erupted between the Jewish and the Muslim merchants dealing in these items. Several Jewish merchants, whose names were provided by their Muslim competitors, were summoned

³¹² JS, vol. 215, p. 5. The term used here for "tailor" was not the usual Arabic one, *khayyṭ*, but the Turkish *terzī*, which had by that time become part of the local Arabic vernacular.

to the court. They were accused of circumventing the Muslim members of the guild whenever it was suggested that they buy their silk matériel from them, making their transactions elsewhere. The Jews confirmed that they had been selling silk, buttons and threads, as well as unspecified “other items”. Moreover, they had among them “people” (probably women) who knew how to prepare all these items properly, so that they would be acceptable for tailoring. Since this had been an ongoing arrangement for many years, the kadi agreed that the Jews proceed as previously, but added that they must also agree to buy their buttons from the Muslim members of the guild.³¹³

Much later, in 1703, we learn that the Jews had become equal members of this guild. At least seven Jewish names are listed as having arrived at the court with the request that the kadi appoint a head for their guild. Quite naturally, they recommended a Muslim member of the guild, originally from Aleppo, for this job, and the kadi agreed. When appointed, the new head undertook to give equal treatment to all guild members, Muslims and Jews, to inspect the standard of their workmanship, and particularly to avoid the use of faulty weights whenever silk was bought or sold.³¹⁴ In later years we encounter very active Jewish involvement in the field of silk and its derivatives, all the way down to the end of the 18th century.³¹⁵ Their enterprising commercial activity bordered on trespassing the territories of other guilds. Thus in mid-1704, a group of spice-dealers (*attār*) requested that the kadi take firm action against the Jewish members of the guild of silk merchants (*‘aqqād*) who were dealing in goods that did not concern them. The kadi warned them that they could only sell silk, both raw and spun yarn, at their shops, and must

³¹³ MA, vol. 2, p. 85. It seems that Mahmud Atallah—who otherwise performed a most meticulous job in reproducing the texts of the relevant *sijills*—misread the name of the guild, which he termed “*al-farrāzīn*”. This should have been either “*al-‘aqqādīn*”, their work description being almost identical with that of the aforementioned debt of 1719, or even better: “*al-qazzāzīn*”, which involves just adding an extra dot, quite often missing in the *sijill*, to this word. The lack of any other entry or even a passing reference to such a guild as suggested by Atallah, whereas two of the three names of Muslims in this entry are identical with silk merchants appearing in 1610, seems to offer further support to our reading of the term.

³¹⁴ JS, vol. 202, p. 108. On the Jewish involvement in this trade in Egypt see: Ahmad al Damurdashi, *Kitāb al-durra al-mušāna* (Cairo, 1989), p. 32, note 3.

³¹⁵ JS, vol. 210, p. 77; vol. 217, p. 28; vol. 220, p. 180; vol. 234, p. 14; vol. 266, pp. 133-4. For a Hebrew translation of these proceedings see my *Jews in a Moslem Religious Court, The 18th Century* (Jerusalem, 1996), pp. 332-5.

refrain from further dealing in silk fabrics, coffee beans and other items that were outside of their professional expertise.³¹⁶ This behavior constituted, quite obviously, a breach of the guild system regulations, but it also indicates a high degree of economic dynamism. The inheritance of a silk dealer reported in 1758 is an indication of the financial success achieved within this guild: his property was estimated at the substantial sum of 1975 *zolta* and it included, among other things, two and a quarter houses in Jerusalem.³¹⁷

As for the structure of this guild, it was similar to that of all the others: it was headed by a *shaykh* who, upon appointment by the local kadi, undertook to treat all members equally in all professional matters, particularly in the distribution of the raw silk that arrived in town.³¹⁸

34. Goat-hair weavers (sha‘‘ār)

Unlike cotton or sheep wool that could be spun into yarn, then woven into fabric to be used for clothing, goat hair (*sha‘r*) was too short and stiff for such purposes and it was used by a different guild for different ends. The guild of goat-hair weavers (*sha‘‘ār*) used special looms for the production of sacks, tent (*bayt sha‘r*) flaps, and a variety of items that were more relevant to Jerusalem’s inhabitants than to their bedouin neighbors, i.e. for the production of various animal accoutrements: ropes, straps, bags and horse-cloth, bell hangers etc.

In the 1630s and early 1640s we come across name-lists of just under 20 members of this guild, whereas in 1690 only seven names are given. We could identify from these lists several families, and also some members whose name indicates a special relationship with animals (e.g. a veterinarian’s son—*ibn al-bayṭār*—or a bedouin—*al-‘arabī*). All of these names appear in conjunction with the appointment of the guild’s head, when his candidacy was recommended to the kadi, sometimes along with that of his lieutenant, the *yūṣṭ bāṣī* of the guild. The new head was always a well-established guild member, on occasion even the son of a former head, whose term of office had no time limit: it would be terminated either upon his death or when he chose to resign, but also when the guild members complained of his behavior and asked for a more appropriate replace-

³¹⁶ JS, vol. 202, p. 382.

³¹⁷ JS, vol. 242, pp. 48-9.

³¹⁸ MA, vol. 2, p. 95.

ment. The distribution of taxes among all guild members seems to have been more of a burden in this guild than in all the others, if one judges by the variety of requests for exemption that guild members submitted: in 1608 it was due to illness, in 1632 it was the exorbitant expenses of a large family combined with cleaning services performed at a tomb of a saint (*maqām*) in Jerusalem, in 1660 because of being on the staff of al-Aqsa mosque.³¹⁹

It also seems that given the relatively low income expected from the items this guild manufactured, the governor's demands for a steady supply of gadgets for his retinue's horses were more difficult to meet. One way of cutting the cost of these demands was by reducing the quantity of goat's hair used in the course of production. In 1605, a delegate of the governor came to the court and complained of the size of sacks (*barānīs*) provided to his master for the transport of soap consignments. When the head of the guild was asked about this, he reported that the products supplied by all other weavers except one were according to the established standard. The person concerned was summoned to the court, and admitted that he had had this consignment worked on by a young apprentice of his, not by himself. Thereupon the head of the guild weighed the sample brought to court and discovered that 3 *uqiyya* out of 14 were missing—about 20% below the standard.³²⁰ Another way to upgrade their income was, as one may have gathered from some of the aforementioned cases, by engaging in another line of work. Thus, for example, in 1644 a kadi issued a warning to a guild member that he must concentrate on his work as a *sha'ār* and refrain from indulging in any greengrocer's activities, such as the purchase of a variety of fruit from the peasants, or their eventual sale to potential customers.³²¹

In the 18th century no major changes could be traced in terms of guild activity as a whole, or that of the individual member. In 1627 up to 50% of the different utensils itemized in a goat-hair weaver's shop were sold for 7 *ghirsh*, whereas 103 years later a goat hair weaving loom was estimated at 5.5 *ghirsh*. This was worth twice as much as all the household effects sold upon the death of a guild member, when most of his belongings—estimated *in toto* at 40 *ghirsh*—consisted of raw goat hair and a few related utensils that he had used

³¹⁹ MA, vol. 1, pp. 247-52.

³²⁰ MA, vol. 1, pp. 257-8.

³²¹ MA, vol. 1, p. 260.

in doing the work at home.³²² The guild as such seems to have continued its routine functioning: in 1713, for example, the kadi appointed a new head, upon the recommendation of all members, and his duties were no different from those stated on similar occasions some 100 years earlier. The only noticeable change was that whereas in the 17th century most guild members, including heads, were simple people whose names were generally cited with no prefix or title, the new head appointed in 1713 was a descendant of the Prophet.³²³ Although this is too small a sample to draw any meaningful conclusions, there were a few other indications of an improved status of members of this guild. Thus, in 1714 about a third of a house was purchased for 25 *ghirsh* by a *sha'ār* who had owned other real estate.³²⁴ In 1796 a goat-hair weaver—the son of a miller—died and left a much more substantial inheritance, estimated at 145 *zolta*, than encountered in this guild before. Then in 1820 the number of members who were either *sayyid* or *hājī* increased significantly, actually following the upheavals of the end of the previous century, when even goat hair was in very short supply. Hence the annual demand for 2000 pairs of saddlebags (*jawz khaysha*) for the pilgrimage to Mecca decreased by 15%. Its price was also set, this time (in 1818), at 50% higher than usual. In 1820 the guild acknowledged having been paid in full, and this time it undertook to provide the same quantity but at another 10% raise.³²⁵

Finally, it might be pertinent to see whether these prices tallied with the general steep upwards trend sketched in earlier chapters. It took about one *ratl* of goat hair to produce a double-bag, which in 1730 cost less than half a *ghirsh*—which can now be estimated as an eight- to twelvefold increase.³²⁶ These were devastatingly difficult years for the local population, even though the central government found a way to cover the deficit and thus solve the immediate problem of the goat-hair weavers' guild.

³²² MA, vol. 1, pp. 257-8; JS, vol. 224, p. 96.

³²³ JS, vol. 208, p. 11.

³²⁴ JS, vol. 209, p. 111.

³²⁵ JS, vol. 278, pp. 37-8; vol. 290, p. 310; vol. 302, p. 2.

³²⁶ MA, vol. 1, p. 258; JS, vol. 224, p. 96; vol. 302, p. 2.

F. House and household

35. *Carpenters* (najjār)

The carpenters' guild (*najjār*, on one occasion also referred to as turners, *kharrāf*) contained two elements, Christians and Muslims. Documents of appointment going back to the 17th century indicate an active guild that in the 1660s had over 20 different members. In addition to these full-fledged members, there were also hired laborers: in 1621, for example, such a laborer had an annual contract in which he undertook to carry out any professional assignment imposed by his master, for 10 silver *ghirsh* (fully valued at 30 Egyptian *qit'a* each). The entire annual salary was paid in advance, whereas the carpenter also pledged to provide his hired laborer with a full set of clothing (*qamīs*, *libās*, *shāsh*, *'abāt*, *bābūj*—tunic, trousers, headgear, overcoat, slippers) in the course of that year.³²⁷

A comparison of names for those years conveys a picture of a slight Christian majority (twelve, vs. eleven Muslims), a proportion that prevailed until the end of the century.³²⁸ However, all the functionaries appointed by the kadi—the different heads who came and went, like their deputies (*naqīb*) who were supposed to take over temporarily when the head was absent—were Muslim. There was no Christian section or Christian deputy, as seen on other occasions: all members had to pledge their allegiance to the guild's one and only head. He, on the other hand, was to treat them equally in anything associated with their professional activities.

The above documents do not claim to present a full numerical picture; if anything, they initiate a further increase in the relative Christian presence in this guild. The same tendency emerges from a court case that was recorded in December 1738.³²⁹ Fourteen carpenters came to the court, eight of them Christian and the other six Muslim. The former claimed that for many years, whenever the governor imposed taxes on this guild, the Christians had paid one-third, the Muslims the rest. This, according to their claim, was an arrangement agreed upon by all members, and not disputed by any other guild. Because in recent years (perhaps due to an unprecedented rise in Christian membership) the burden of these impositions had

³²⁷ MA, vol. 2, p. 249.

³²⁸ MA, vol. 2, pp. 209-14.

³²⁹ JS, vol. 229, pp. 263-4.

become much heavier, the Christians asked their Muslim colleagues to share these charges with them on an equal basis—as was the case, allegedly, with the other guilds. The Muslim carpenters refused, denying the very existence of any such arrangement. Moreover, they turned the above proportion upside down, testifying that the rule applied in all mixed guilds was that the Christians shouldered two-thirds, the Muslims one-third of the tax burden. In view of these conflicting reports, the kadi was presented with a legal decision (*fatwā*) issued by the Hanafite *muffī* of Jerusalem, ruling that whenever an imposition of the governor was levied from any guild, all its members who performed similar work must be charged with an equal share—with no differentiation between Christians and Muslims. The kadi ruled accordingly that “equality is the legal principle to be followed” among the carpenters, as was the case with all other guilds.

Buttressed by these two important documents, the Christians had ample reason to rejoice, or at least relax, although we have no evidence as to how far this line was actually followed in later years. We may, however, look upon this whole episode as an indication of the changes in relative importance that occurred within the guild. The Muslim witnesses’ claim seems familiar from at least one other case of a mixed guild discussed above (see chapter 27, *Weavers*), and in the case of this guild, as described for the 17th century, it may have partially reflected (even though in a somewhat exaggerated proportion) the actual numbers involved. The possible reason for this request for a change, presented by the Christians in the second third of the 18th century, could have been either a growing self-confidence that called for the elimination of a numerically imprecise ethnic quota, or a growing change in the makeup of a guild that had formerly been predominantly Christian. We tend to support the first line of thought, because of lack of any other indication as to a growing number of Muslim carpenters. As late as 1714, when a new head of the guild was appointed, the proportion of the members who attended the court session indicated no change in the guild’s makeup: five Muslims (including the new head), and twelve Christians of different denominations.³³⁰

Another angle also leads to the same conclusion, i.e. general economic developments at the time. Those were the years of a growing French presence in Palestine, commercial and otherwise, which

³³⁰ JS, vol. 209, p. 93.

must have strengthened the Christians' self-image; its reverberations reached Jerusalem from the distant port of Acre and the somewhat closer port of Jaffa. Moreover, what this ruling of the kadi amounted to was actually the application of a principle we have seen repeated in this as in all other guilds—that of equality; an exception was thus corrected and a situation rectified. In a wider context, this may be regarded as a forerunner of a policy that the Ottomans more vigorously applied a century later throughout the empire and for reasons remote from the situation “in the field”, as it were. The economic waves that washed the coasts of Syria and Palestine during the 18th century had very little to do with the pressures later applied by the European powers and leading to the Tanzimat. But even at this early stage—and in a purely local Muslim context— attempts were being made to reduce the existing economic discrimination. These came totally from within the local society, and did not reflect a change brought about by foreign Christian powers, but rather Islamic policy and logic; hence they could more easily be accepted.

36. *Potters* (fākhūrī, fawākhūrī)

The potters' guild (*fākhūrī*, *fawākhūrī*), of which we encountered five members in 1686, produced earthenware in Jerusalem and sold it there through several “agents”, referred to as ‘sellers’ (*bayyā*). The guild was headed by a *shaykh* who was appointed by the kadi, and was to be guided in all his professional activities by the well-established principle of equality that was applicable to both assets and liabilities.

A year later, the very same sellers (members of the same family) were all discredited in court by several Muslim dignitaries who accused them of cheating customers, undermining attempts of guild members to sell their own products, virtually trying to monopolize the field, and thus ignoring the public interest.³³¹ Since part of the relevant document is missing, we cannot fully appreciate the episode and its outcome. However, we may assume that this was an attempt of either the producers or the salespeople (or both) to monopolize the sales of these products—in order, no doubt, to increase their profits. This would normally happen in a fast-growing market, where

³³¹ MA, vol. 2, pp. 86-7.

each party tries to outbid the other in view of soaring demand. Regardless of who had the upper hand in this dispute, it reflects a growth in the guild's activity and importance.

From the few documents that we have for the 18th century it transpires that the guild went on functioning in its traditional way, supervised by the head who continued to perform his duties unless, as occurred in 1720, he could not carry on, whereupon he tendered his resignation to the kadi.³³² Also, as with other guilds, the kadi set the prices of this one's products: e.g. a large piece was referred to as *tūbar* 1.5 *qif'a*.³³³

37. *Builders* (*bannā'*)

The 18th century witnessed two parallel trends in the architectural facade of Jerusalem: the dilapidation of a variety of buildings, and the repair and construction of both old and new elements. The wear and tear of existing buildings was due to both human neglect and the accumulating effect of natural causes. Lack of proper maintenance, occasional snow that was too heavy for the wooden roofs to withstand, and rainwater seeping through the insufficient insulation—all of these took an increasingly heavy toll. Some of the repairs were relatively straightforward, such as the use of the insulating concoction called *qasṣmāl* for connecting roofs and upright walls. Others were more painstaking, such as the replacement of wooden roofs by stone ones, strengthened by iron bars. And there was also an increasing tendency to erect a top floor (*tabaqa*) on a lower building. All of these tasks were performed by professional builders (*bannā'*).

On June 22, 1717, a large number of people came to the court, complaining of the recent conduct of the builders' guild. The harsh weather conditions of the preceding winter had caused much destruction to buildings in town as well as in the surrounding villages. This, in turn, had generated a growing demand for the builders' professional services everywhere, pushing up their wages and enabling them to be particular about where they would go. They opted for work in the villages, where they could set their conditions with little exposure to the critical eyes of the provincial authorities. This meant, went the plaintiffs' argument, that hardly any building activities could be conducted in Jerusalem, not to mention the 50% rise in wages.

³³² JS, vol. 215, p. 161.

³³³ JS, vol. 215, pp. 203, 204.

The kadi summoned the head of the builders, as well as the members of the guild, and warned them to refrain from taking business trips to the villages (or to other towns) unless all the reconstruction pending in Jerusalem had been completed. The kadi further warned them that any builder who left town without his specific permission would be punished. As for their inflated wages, the kadi agreed to give his blessing to the higher figures quoted by the chief builder, which were a direct outcome of the widespread demand for their services (18 *qit'a* instead of the former 12 for a master builder, 12 for a builder, 9-10 instead of 7-8 for a laborer), and all the guild members agreed to adhere to these and refrain from any further increase.³³⁴

This court session was attended by eleven guild members, all Christian, "and other builders". Some of these may have been Muslim, but this guild's professional expertise seems to have been best preserved among the Christian families. This does not apply to the chief builder mentioned above. The positions of *mī'mār bāshī* and his two deputies (*mī'mārīyya*) were all held by Muslims. This was not because of an impulsive application of the local authorities' will; it was decided in Istanbul and sanctioned in an official decree. Throughout most of the 18th century, the most important position in the building field remained within the same Muslim family. The reason seems quite clear, and, under the prevailing circumstances, not without an intrinsic logic: the holders of this position were in charge, first and foremost, of any construction activity envisaged on the Temple Mount, as well as in the other mosques of this venerated town, and were also responsible for the upkeep of the water supply system to Jerusalem and within its walls. These, much more than ordinary building assignments for its inhabitants as a whole, were roles of primary religious cum political importance. Although in actuality most of the chief builders were involved in the mundane business of inspecting ordinary buildings in town and controlling repairs carried out by its inhabitants, Istanbul was mainly interested and involved in the maintenance of the official facilities just mentioned, for which it allocated money, expecting reliable reports.³³⁵ Thus although the builders' professional expertise was held in great esteem by the comptroller of the *haramayn* endowments, and the *dar*

³³⁴ JS, vol. 211, p. 152.

³³⁵ JS, vol. 235, p. 34.

üs-sa'adet ağası, their two governing authorities in Istanbul, it was deemed sufficiently well preserved by being transmitted from one generation to another within the same family.³³⁶

Although on several occasions attempts were made in Istanbul to remove the traditional chief builders from their position, for most of the 18th century the job was held by members of the al-Nimari Çelebi family. Ibrahim son of Hibat-Allah, Salih and Sadiq his sons, Nur al-Din their cousin—these are several members of the same family who were the chief builders for most of the century. The insignificant subvention they collected from the annual money transfer from Istanbul to Jerusalem (*al-şurra al-rūmiyya*) was only a small part of their income. An idea of less regular sources they helped themselves to may be gathered from a complaint registered with the kadi by those who were provoked by their allegedly systematic extortion of unlawful payments for building permits and related documents. However, the substantial building activities in 18th century Jerusalem provided them with ample opportunities to earn handsomely even if they exercised their authority in an exclusively legitimate manner. No wonder, therefore, that the family endowments established from the mid-17th century onward contained a long list of whole or partial units of real estate, both residential and business properties, which they accumulated in Jerusalem.³³⁷

G. Trade

38. *Grocers* (baqqāl, sammān, sūqī)

In its daily life the Jerusalem population consumed a variety of food-stuffs, over and above the basic bread bought from the bakers and the meat purchased from the butchers. The daily products were usually sold by the grocers (*baqqāl, sammān*), and since in most cases (though not exclusively) they were sold in the markets, their dealers were also referred to as “marketeters”, *sūqī* retail merchants.

Judging by the name-lists we sifted through, this was the largest guild in town: at one point, in 1635, we counted 39 different names,

³³⁶ JS, vol. 263, pp. 6-8.

³³⁷ JS, vol. 221, pp. 50-2; vol. 223, pp. 79-80, 166; vol. 225, p. 233; vol. 226, p. 195; vol. 227, pp. 22, 90, 112, 339-41; vol. 228, p. 228; vol. 229, pp. 251-5; vol. 248, pp. 3-4, 54; vol. 250, p. 166; vol. 259, pp. 89-90; vol. 268, p. 119; vol. 275, p. 11; vol. 286, p. 18.

some of them closely related to one another.³³⁸ Most of these names appear on another list as well, dated two weeks earlier, but this one also has 12 other names, which brings the total figure to just over 50 grocers.³³⁹ Most of them were concentrated in “the large market” (also known as “the Sultan’s market”) and in “the cotton weavers’ market”, but others were located in residential neighborhoods: Bab al-‘Amud, Bab Hitta, the Jewish neighborhood. The grocers were mostly Muslim, but, not unexpectedly, three of those identified among the latter, plus two more mentioned a short time later, were Jewish.³⁴⁰ They were headed by “the head of the market” (*bāzār bāshi*), appointed by the kadi upon his recommendation, or at least with his explicit consent. The main task of the head of the guild was to attend to all matters that concerned the grocers, particularly to “treat them equally” in the distribution of all commodities that arrived in town for sale. No one was supposed to buy any goods (e.g. fruit, vegetables or grain, honey, oil, *samn* butter, rice) unless the head was present, so that he could make sure they were properly weighed on the public scale—*al-qabbān*—and justly distributed. The grocers, on the other hand, were to ensure that their shops were well provided with all commodities, available for all potential customers every day.³⁴¹

The head of the guild was also held responsible for the regular provision of the governor’s kitchen from his own shop, and only if there were any items missing could he turn to the other grocers for help.³⁴² Such was the case at the very beginning of the century, in early 1603, but it turned out to be a burden too heavy to be carried alone. Gradually, it had to be modified into a more reasonable arrangement: first, less than a year later, when the governor’s officer in charge (*wakīl kharj*) came to collect his due, the validity of the above regulation was reconfirmed, but in view of the difficulties it presented, the grocers agreed to share this responsibility with their head to the tune of 50%. Then, several months later, another step was taken to further alleviate his burden: the grocers agreed that they would take charge of two-thirds of the supply of honey and buttered milk (*samn*), and if grain was also called for, they would sell him the

³³⁸ MA, vol. 1, pp. 238-40.

³³⁹ MA, vol. 1, pp. 237-8.

³⁴⁰ MA, vol. 1, p. 235.

³⁴¹ MA, vol. 1, p. 240.

³⁴² MA, vol. 1, pp. 224-6.

quantity requested for the going price, so that he could meet all the governor's demands.³⁴³ As for the distribution among the members of the guild, similar to what we have already encountered in other cases, the shares imposed on the different members were not automatically set at identical rates, but rather changed according to the volume of business and income of each one of them (e.g. in 1653, 18 members were held responsible for 7.5 *dawr* "roles", i.e. shares, of one-third, one-half or one full "role" each, their head included).³⁴⁴

However structured, these impositions were not imaginary or symbolic, as we can gauge from the following figure: late in 1631, the head of the guild formally acquitted the governor of all he had owed him for the supply of just over four months, amounting to 410 *ghirsh*. True, these included the month of Ramadan, when overall consumption tends to rise because of the long nocturnal festivities at the end of each day's fasting.³⁴⁵ However, this gives us an insight as to the burden they had to share: these commodities were eventually paid for, but the price charged from the governor, even if and when fully reimbursed, was much lower than the market price. No wonder, therefore, that grocers tried to avoid this service, and some of them, through Istanbul's intervention or the kadi's support, managed through a variety of excuses to get a formal exemption.³⁴⁶

The grocers operated from well-defined shops, most of them located at specific markets and also in some of the residential areas mentioned above. There were, however, attempts to circumvent these orderly patterns and offer merchandise for sale at unorthodox locations. In 1647, for example, a group of guild members complained to the kadi of the unauthorized sale of a variety of fruit at different spots in town: the entrances to several markets, steps leading into town, or simply in the middle of certain streets. Such conduct, they claimed, created unwarranted bottlenecks that disturbed normal traffic in central places and disrupted the free movement of the public. The kadi supported the grocers' assertion, prohibited any similar behavior in the future, and issued a public warning to the effect that culprits would be strictly punished.³⁴⁷ Eighteen years later, judging by another court ruling, things had not significantly improved: this

³⁴³ MA, vol. 1, pp. 228-9.

³⁴⁴ MA, vol. 1, pp. 230-1.

³⁴⁵ MA, vol. 1, pp. 233-4.

³⁴⁶ MA, vol. 1, pp. 232-3.

³⁴⁷ MA, vol. 1, pp. 240-1.

time the offenders were more clearly identified as villagers from Majdal 'Asqalan near Gaza as well as the Jibalia neighborhood in Gaza itself. They were selling seasonal fruit at the same locations described before, disturbing public order there in similar ways. The kadi, alerted by the grocers, issued another stern warning against squatting at those spots and disturbing public order.³⁴⁸ The reasons given in both documents are indeed valid, and anyone familiar with the conditions prevailing in present times in and around the vegetable and fruit market in the Old City of Jerusalem would confirm both the picture drawn by the complainants and the logic followed by the authorities. However, the main reason was different: the grocers were not much interested in the traffic problems of their time; their main concern was to sell their merchandise without being subjected to external—and, from their perspective—unfair competition. Anything sold outside the well-defined territorial scope of the market by free-lance merchants who paid no attention to price control or to rent, was bound to be cheaper than merchandise sold by guild members. The main economic logic, therefore, was to avoid unregulated sales by unorganized merchants that might undermine the entire guild structure.

The same logic also applied to purchases of goods at uncontrolled areas by organized guild members. In 1666, several grocers were summoned to court because of reports submitted by the head of the guild and the *muhtasib*. Although part of the regular guild, they did not abide by the controlling rules of purchase of incoming goods, in this case pertaining to buttered milk (*samn*). According to a well-established practice, this should always be brought to the vegetable market, known as *sūq al-khudar wa'l-bāshūra*,³⁴⁹ where proper control of quality and prices could be assured. However, for the very purpose of avoiding this control, some merchants waited outside of Jerusalem for the incoming caravans, where they concluded private deals with the *jallāba* importers. The kadi ruled against this, warning that any violator would be severely punished.

Calling upon the kadi to intervene in support of the existing order and regulations meant, among other things, that these were not being properly upheld by their natural guardians—the guild mem-

³⁴⁸ MA, vol. 1, pp. 241-2.

³⁴⁹ For the 16th century see my *Economic Life*, p. 122. For the 17th century see MA, vol. 1, p. 244.

bers and their head. As we move into the 18th century, we discover that other cracks appeared in the system. The *sammān* grocers, whose name indicates that they were supposed to deal mainly in buttered milk (*samm*), oil and related items, did not limit themselves to these. In 1746 we hear a complaint that they sell rice at their shops, in an unregulated and uncoordinated manner, resulting in their monopolization of its trade in Jerusalem and the almost total disappearance of rice from the markets. When the kadi looked into the matter, he was told by many veteran grocers and other merchants that this was a relatively new practice, having been introduced some 15 years earlier. Prior to that, the procedure followed was that rice imported to Jerusalem was stocked at the “rice market” (*khān al-ruzz*), and sold only at its entrance. This was replaced by a growing trend among grocers to stockpile rice in their own stores, and very gradually release small quantities for sale, bringing about a steep rise in its price. The kadi ruled that this should cease altogether, and rice should once again be stored only at its particular market, not to be sold by any grocer in his shop.³⁵⁰ Similar to an earlier description of developments concerning the selling of grain, this implied not only a growing demand but also a weakening of the authority of the head of the guild, the *bāzār bāshu*. The immediate complaint, and the kadi’s concern, focused on eliminating the technical causes that were harming the interests of the public. But the “laxity and lack of attention” to the former decree, to quote the original document, that were pointed out as the reasons for the declining standards were only the symptoms. They stemmed from the gradually deteriorating standards of the grocers’ guild, as part of the general decline of the system as a whole.

39. *Greengrocers* (*khudārī*)

“The vegetable market” (*sūq al-khudār*) was one of the central markets of Jerusalem; it was rebuilt and refurbished in the early 1560s by the local authorities.³⁵¹ Although Jerusalem of those days was not densely built and had a variety of vegetable gardens (*hākūra*) in the many open spaces scattered among the built-up areas within its walls, it was dependent on a regular supply of vegetables from its agricultural hinterland; hence the importance of this market. In this respect

³⁵⁰ JS, vol. 235, p. 51.

³⁵¹ See my *Economic Life*, p. 7 and my “Local Trade” in *AAS*, vol. 12, pp. 9-10.

the situation was quite similar to that pertaining to sesame grains, cereals or meat: in order to properly supply the inhabitants' needs, the sale of vegetables had to be regulated and dealt with by a particular guild.

When a group of ten greengrocers "who sell vegetables in the vegetable market" addressed the court in 1629, they complained of the difficulties they were facing in this sphere. Instead of bringing all their vegetables straight to the market, some of the villagers were met outside Jerusalem by "certain groups" of both authorized and unauthorized merchants, to whom they sold their merchandise. This undercut the supply offered by the proper channels of the vegetable market, and also circumvented the price-control mechanism that the state system normally provided. In order to rectify the situation, the greengrocers requested the kadi to appoint a head of their guild, who would treat all guild members equally and discontinue the practice of greengrocers buying vegetables outside the town walls. All the vegetables would then, said the greengrocers, be brought straight to the market where they would be sold at their official price. The kadi appointed their candidate, as he did on another occasion, in 1647, this time with no reference to the above malpractice, very likely not repeated on any significant scale. The newly appointed head undertook to treat all guild members equally in everything related to their craft, to distribute equally among them the guild's assets and liabilities, while they pledged to obey everything he said.³⁵²

Some 150 years after the reactivation of the vegetable market, in 1712, the local authorities decided it was time to attend to manifestations of neglect and mismanagement. Parts of the general structure as well as quite a number of its shops needed internal repairs and roofing over. The kadi sent an inspection committee headed by the chief builder (*mī'mār bāshī*), whose detailed report served as a guideline for the repairs. The amount of 390 *ghirsh 'adadī* that was spent on the refurbishing job was to be reimbursed by the active shops of that market in the hope that the ten presently unused shops would again become attractive to potential bidders. We have no further information as to whether more greengrocers returned to these or to other shops used by members of other guilds (e.g. a butcher), but in this case no news may be interpreted as good news—the money was paid or pledged, and judging by past experiences, a reconstructed

³⁵² MA, vol. 1, pp. 127-8.

market was a good incentive for renewed professional activity.³⁵³ Seven years later, when the kadi announced the prices to be charged by the greengrocers for a variety of items, vegetables sold at that market were authorized to go for a 25% higher price than when sold outside it (*fī'l-mahallāt al-arḍiyya*)—a clear indication of the above tendency.³⁵⁴

This does not mean an end to the hurdles the guild members had to overcome. In 1782 the kadi ordered the cessation of a recent practice of the customs officials (*ghafarjīyya*): peasants who arrived in town from the neighboring villages brought a variety of fruit and vegetables for sale (grapes, eggplants, cucumbers, pomegranates, locks of sheep's wool, as well as coal and wood)—all of which was supposed to be exempt from taxes. Exacting tolls from these or any other such “fruit” was a “negative innovation” (*bid'a sayyi'a*) that should cease immediately, and these villagers were to be allowed to continue bringing in their merchandise and selling it in town without any monetary imposition whatsoever.³⁵⁵ Although here, again, the kadi couched his warning in clear religious terms, it should be viewed in the correct economic context: such practice would eventually raise the price of these commodities for the local consumers. Moreover, it confronted the greengrocers with a difficult dilemma: should they absorb the price rise themselves, or pass it on to their customers—an act of disobedience against the kadi's prescribed prices? An unlawful imposition of this kind was not part of, and actually contradictory to the routine of the guild system, hence it was basically damaging and categorically forbidden.

At his shop every greengrocer could sell at the prices set by the kadi any available fruit and vegetables, as well as other village commodities—such as wood, coal and soap—that we would not necessarily regard as belonging to these categories.³⁵⁶ Nevertheless, among guild members there seems to have been an element of specialization for certain popular items that fell within both categories: cu-

³⁵³ JS, vol. 207, p. 327; vol. 213, p. 82.

³⁵⁴ JS, vol. 215, p. 204.

³⁵⁵ JS, vol. 256, p. 37.

³⁵⁶ Here are some examples of the kadi's official prices from September 1719 (quoted in *qif'a* coins per *raṭl*): garlic 12, sumac 6, ground sumac 12, almond 30, peeled almond 72, local village honey 40, coastal honey 30, vinegar 6, vegetable fat (*samā*) 75, olive oil 24, pine nuts *ṣnūbar* 22 (JS, vol. 215, p. 204). A few more from August 1720: watermelon 1.5, figs 1.5, grapes (different brands) 1.5-2 (JS, vol. 215, p. 203).

cumbers, squash and eggplants. Such were the “cucumber sellers” (*bayyāʿīl-khiyār*), whose merchandise was sold per *raṭl* at the central weighing scales (*qabbān*) in the marketplace.³⁵⁷ These were itinerant merchants, and as a rule their prices – somewhat surprisingly from a contemporary standpoint—were set at 5%-25% higher than those charged at the shops.

As the 18th century progressed, we come across new ways of circumventing the greengrocers’ systematic guild structure, undoubtedly a sign of a weakening of the system. In 1789, for example, the head (*shaykh*) of the neighboring village of Ayn Karm hired a military officer (*oda bāshī*) to help their women sell the fruit and vegetables they brought into town. The officer was advanced the princely sum of 400 *zolta* for the entire season, to be topped off later by the villagers at the rate of 4 *qiʿa* per camel load, 2 per donkey load, and 1 per each basket (*salla*) actually sold. This arrangement proved satisfactory to all parties directly involved for quite some time, just as in another nearby village, al-Walaja, where the services of another officer were hired for exactly the same task.³⁵⁸

Grapes were an ordinary item sold by greengrocers, but their price setting involved a somewhat more elaborate procedure. Every year, in either September or October, weather conditions permitting, the heads of the following neighboring villages came to the court: Walaja, Bayt Iksa, Bayt Hanina, Ayn Karm, Maliha. Along with them came the dragomans of the three major Christian monasteries (Greek Orthodox, Catholic and Armenian). These were, on the one hand, the main suppliers of grapes, and on the other, the major consumers (in terms of wine production). After consulting them as to the quantities available that particular year, the kadi would set the price of grapes to be binding throughout Jerusalem. Prices were set in bulk quantities of *qintār* (100 *raṭl* each), e.g.: 6 *ghirsh* in 1730, 8 in 1748, 7 in 1750, 6^{2/3} in 1752, 8 in 1753, 8.5 in 1754, 12.5 in 1809, 20 in 1810.³⁵⁹ No special allowance was made for large purchases: divided by 100 these figures provided the identical retail price that regular, smaller customers were charged. The fluctuating prices reflected the annual changes in weather conditions, whereas the obvious rise

³⁵⁷ JS, vol. 215, p. 203: in June 1720 the first two were sold at 2.5 *qiʿa* per *raṭl*, the latter at 6 per *raṭl*.

³⁵⁸ JS, vol. 269, p. 121.

³⁵⁹ JS, vol. 224, p. 101; vol. 234, pp. 99, 131, 154, 164, 183; vol. 290, pp. 42, 62. 1 *ghirsh ʿadadī* (sometimes referred to as *zolta*) = 30 *qiʿa*.

in the latter figures reflects the general inflationary trend of the early 19th century, which, as we pointed out in earlier chapters, affected goods imported from remote places as well as those grown in the immediate neighborhood of Jerusalem. The prices were affected, not the guild activities: in 1820 a name-list of active greengrocers contained 28 entries,³⁶⁰ a far higher figure than anything we found in earlier years—probably indicating the increased demand for their services in a demographically growing Jerusalem.

40. *Spice-dealers* (‘aṭṭār)

We have already mentioned spice-dealing several times, which reflects its relative importance within the general economic setup. On one occasion (see above, p. 145) spice-dealing was referred to in conjunction with the silk merchants, who were trespassing on the spice-dealers’ rights and selling items that were regarded as within their province. When we consider it from the injured party’s perspective, two points deserve special attention. First, handsome profits could be made from the sale of spices or coffee. This was a sufficiently alluring incentive for members of a less fortunate guild to systematically break the law and the established order. Second, because the spice-dealers’ guild was apparently undergoing a degree of deterioration and change at the beginning of the 18th century, it could not sort out its problems without turning to the kadi for help.

Thirty-one years later, in mid-1735, the entire spice-dealers’ guild was summoned to the court where the kadi warned them against the sale of “useless” (or what we would probably call “outdated”) spices of different kinds, as well as against the sale of “rosy rice” (*al-ruzz al-wardī*) instead of the “expected” pepper, i.e. the pepper that was used to give it the appropriate taste and color. The head of the guild, probably aware of his limited authority over his own guild members, asked the kadi to try to restore internal order among them. Thus, the kadi warned them all that any incoming goods must be weighed and bought at the head of the guild’s shop, to ensure their correct standard and price. Whenever sold to customers, these spices should be of “pure quality”; and if any of these regulations were broken, the culprit would automatically be fined 5 *raṭl* of coffee beans.³⁶¹ Although we have no evidence as to how effective these threats proved

³⁶⁰ JS, vol. 290, p. 308.

³⁶¹ JS, vol. 227, p. 287.

to be, they obviously point to a general trend of declining professional standards and authority within the guild itself.

Many years later, in 1778, another authority was enlisted in order to rectify a deteriorating situation: this time it was the governor himself, who very seldom interfered in economic matters. He issued a decree addressed “to the heads of the guild and its members”, prohibiting the sale of pepper, spices and other condiments from any place other than the spice-dealers’ market, and with the specific permission of the head of the guild. Since the commodities sold by this guild included items that might be poisonous, they required special expertise and mutual supervision that could be achieved only if strictly controlled at one location and practiced only by members of the guild. Things do not seem to have improved greatly even after this decree was made public: 28 years later, in 1806, the same ban had to be reiterated by another governor, in his attempt to put an end to the sale of “pepper, spices, sugar, ropes (*aḥbāl*) etc.” by unauthorized individuals and outside the sole designated market.³⁶² The guild went on functioning within the spice-dealers’ market and into the 19th century, but the erosion noted a century earlier went deeper and deeper: items that had always been restricted to its members only were now dealt with openly by unauthorized merchants, side by side with the official guild. In the 16th century, in contrast, a newly constructed market was appended to the old one,³⁶³ thereby concentrating all of the guild’s activities in one spot and achieving a degree of proper supervision. Three hundred years later many abuses had become accepted: shops were opened outside the designated area, depriving it of its exclusivity and thus further undermining the authority of the spice-dealers’ heads and the guild system as a whole.

The deteriorating state of this guild stemmed mainly from the nature of its merchandise: items of relatively small size and great value that were highly coveted by the local population, and never available in sufficient quantities because of the remoteness of their source of supply. In the 16th century, when the official Ottoman policy was to promote Jerusalem’s economy by way of encouraging, among other

³⁶² JS, vol. 288, p. 108. Ropes were regularly sold at spice-dealers’ shops: in 1722, for example, a certain Ali denied the allegation that he was unlawfully selling spices, but confirmed the sale of a consignment of ropes (*hillat aḥbāl*) that he even suggested to sell to members of the guild, which they indeed eventually agreed to buy from him (JS, vol. 217, p. 351).

³⁶³ For details see my *Economic Life*, pp. 6-7.

things, international trade with the town, specific regulations (*kanun-name*) were promulgated in Istanbul that exempted from taxes all spices imported from the Far East (and other locations) to be sold in the spice-dealers' market. The market inspectors (*muhtasib*) of Jerusalem who might lose from the application of these regulations tried to circumvent them from their early days, hoping to increase their own income, but they were overruled by the kadis.³⁶⁴

In 1677, we learn that the century that elapsed did not blunt these attempts: the head of the spice-dealers complained of recurring interventions in matters of his guild by the *muhtasibs* who were trying to impose their authority, along with illegal taxation, on them. The kadi looked into this matter very carefully and found that there had been previous rulings of the Jerusalem court, adopted and reconfirmed by a long list of his predecessors, prohibiting any such impositions. He also consulted the texts of the original Ottoman regulations, as well as subsequent decrees issued on this subject, then reached a clear conclusion: he ordered that no functionary, high or low, would levy any charges, under any pretext, from the spice-dealers, nor would the *muhtasibs* enter their market or interfere in the pricing of the commodities sold there.³⁶⁵ This episode adds another dimension to the erosion that the spice-dealers' guild was undergoing: the vested interests of the market inspectors should have been supporting the guilds, but in this particular one they preferred their own narrow interest to that of the system, thus inflicting more blows on the spice-dealers and further impairing their guild.

The attacks the spice-dealers' guild was suffering from different directions did not have any noticeable effect on its number. The court session of 1735 was attended by 17 different spice-dealers whose names are cited, "and the rest of the guild members", which means a higher figure altogether. At the beginning of the 17th century some 15 members' names are noted, and in 1675 a similar figure is given. The guild was made up mostly of Muslims, many of whom were distinguished descendants of the Prophet (*sayyid*), or at least people of religious or economic importance, referred to as *hājī*, *shaykh* or *khawāja* (the latter term meaning: a rich merchant). There was also, as pointed out earlier, a Jewish presence in this guild: the 1656 document, and that of 1675, list four different Jewish names each.³⁶⁶

³⁶⁴ *Ibid.*

³⁶⁵ MA, vol. 2, pp. 77-8.

³⁶⁶ MA, vol. 2, pp. 65-8, 72-5.

No less indicative of the substantial profits that could be made by members of this guild were properties they accumulated in the line of their professional duties. A certain spice-dealer's inheritance in 1768 included two luxurious silver watches, an unusually large sum of cash he kept in his shop at the spice-dealers' market, and two houses (in 'Aqabat al-Sitt neighborhood) estimated at the exceptionally high price of 1000 *zolta*—altogether an unusually high total of 2000 *zolta*. A year earlier we learn of another spice-dealer who was concurrently a partner in the lease and operation of a soap factory in the Jewish neighborhood.³⁶⁷

The guild was led by a head whose assistant, the *naqīb*, too, was always chosen by the kadi. Unlike the head of the guild, whose functions our documents keep reiterating, those of the *naqīb* were taken for granted and never detailed. But if we are to adopt the Egyptian model as applicable in Jerusalem, the *naqīb* also had specific responsibilities: he was master of ceremonies of the guild, thus representing “the old traditions”.³⁶⁸ The head of the guild was in charge of all their professional activities, for which role he was exempted from all taxes or impositions levied by the provincial authorities. To ensure adequate supervision he undertook to use his own scale to weigh all incoming spices and distribute them equally among all guild members, the yardstick being not just the repetitive noun of “equality”, but “according to their ranks (*marātib*)—higher, middle and lower”. We have already touched upon the matter of graduated equality, which is here confirmed even more clearly. The choice of these terms indicates a hierarchy within the guild, which could only have been based on professional expertise, reflected also in a similar financial status. Although the keyword characterizing the head's policy within the guild—in this as well as all others—was “equality”, it is through a document from 1675 that we get a rare insight into how this was actually translated into reality. This yardstick was to be applied *vis-à-vis* all members in the context of both benefits and liabilities, the latter usually meaning occasional impositions by the governor. These, goes the document, should be levied from the guild members “according to their degree of [potential] sustenance (*taḥammul*)”. The unit for measuring each member's share was called “shop charge” (*kharj dukkān*), and its application varied: some spice-

³⁶⁷ JS, vol. 250, p. 48; vol. 251, pp. 54-5.

³⁶⁸ G. Baer, *Egyptian Guilds in Modern Times* (Jerusalem, 1964), pp. 10, 14, 15.

dealers had to pay the rate of “one unit” for themselves and another quarter for their children, one paid 1.5 unit, others paid a quarter or half a unit each. In other words, the principle of equality notwithstanding, it was the economic reality that set the actual rules: those who were better-off enjoyed more credit and incurred greater liabilities; the others could, and did, pocket and shoulder a smaller share. This reality seems, perhaps, somewhat less equal than what is implied by the bare theoretical principle, but it certainly conveys a reasonable as well as viable institutionalized arrangement.³⁶⁹

There were other practical considerations that had to be taken into account. In 1651 a certain *hājī* Yusuf was performing his duties in his shop, located at the spice-dealers’ market. The guild’s head complained to the kadi that he was suffering from a serious illness, namely leprosy (*dā’ al-jadhām*). He therefore asked that Yusuf be removed from his shop to avoid damage to the customers and, no less relevant, to the marketplace as a whole. The advice of a physician was sought, and once he confirmed the above report, the kadi ruled that Yusuf must be temporarily removed from his shop and given medical treatment. Only upon his recovery would he be permitted to return there and resume his professional activities in a manner commensurate with the other spice-dealers.³⁷⁰ More fortunate was another guild member, *shaykh* Haydar, whom the head of the guild occasionally obligated to pay various charges imposed on the entire guild. In 1675 he complained to the kadi, alleging that he was actually not a spice-dealer but one of the staff of the religious court. True, for more than 30 years he had been assisting the spice-dealers, whenever requested to do so, in the purchase of commodities they were in need of, but never in all those years had he been a spice-dealer. The kadi ruled in his favor, pointing out that being on the staff of the court he was not liable to such impositions, particularly in view of the large family he was supporting; hence none of the future guild’s heads, let alone the present one, were to involve him in the payment of any of the *al-takālif al-‘urfīyya* impositions, notwithstanding whatever help he might be extending to the spice-dealers.³⁷¹

³⁶⁹ MA, vol. 1, pp. 66, 75.

³⁷⁰ MA, vol. 2, p. 76.

³⁷¹ MA, vol. 2, p. 74.

41. *Soap merchants*

The distinction between producers and salesmen as has been described in our discussion of the potters' guild, or a similar division that existed in several other guilds (e.g., butchers), was quite usual in Ottoman Jerusalem. This degree of specialization was not, however, mandatory for all professions, and did not apply to the more centralized soap industry.

In an earlier description of this guild, relating to the 16th century, we summed up the nature of the merchants-artisans relationship in the field of soap production as follows: "Merchants probably did not personally engage in manual work, but were very closely related to it. They invested money, time and energy in soap-production, and were actually and systematically involved in the entire process ... They were not tycoons who invested money in various kinds of business but had nothing to do with the operation they were financially involved in. These merchants were also artisans in a broader sense of the term: they constantly participated in the actual process of production".³⁷² In the 200 years that followed, the same description held true: merchants, quite naturally not extremely small ones, invested their money in the production of soap, then employed their commercial networks to promote its sale to markets both nearby and remote. They might have been called "producers", but we preferred to use the term that was used at the time.

The guild of the merchants (*tājir, tujjār*) was often called by this very general term, implying that the local population knew exactly what their main occupation was. Very seldom were they referred to by the full and more precise formulation: "the merchants who cooked the [olive] oil into soap".³⁷³ The special respect in which others held them was expressed by the recorded use of the term *al-sāda* preceding the guild's official name, meaning "the lords". Although this term in a slightly different form usually designates the direct descendants of the Prophet, only few among them qualified as such, bearing the correct title of *al-sayyid*. Most of them, however, did have another title, that of *khawāja*, signifying "an affluent merchant", very often a descendant of such a family. Moreover, in quite a number of cases we could establish with certainty a continuous participation of members of the same families dating from the 16th century onwards:

³⁷² See my *Economic Life*, pp. 96-7.

³⁷³ MA, vol.1, p. 42.

al-‘Asali and al-‘Usayli, al-Duhayna and al-‘Anbusi, Hasuna and Ibn Katib al-Zayt.³⁷⁴ As for the size of this guild, it is impossible to establish a precise figure, but comparison of the available lists of those of its members who attended the court sessions yields at least 14 names for the first decade of the 17th century, 18 for the 1620s, 15 for the 1630s—all of these being probably only partial lists, as may be easily gathered from the language used in the records.³⁷⁵

All the above-mentioned lists were recorded when the head of the guild was appointed by the kadi. His main attributes were extolled: his social status (*min a’yān al-tujjār*), professional expertise and righteous piety. Once he was appointed, all the guild members pledged allegiance to him, and they kept the pledge for as long as he supervised their affairs without prejudice or harm to the established order of their guild. If he failed to uphold the spirit of equal treatment of all guild members, they withdrew their support, either forcing him to tender his resignation or convincing the kadi to have him replaced.

As indicated by its name, the members of this guild did not personally engage in soap production; it was produced by professional soapmakers (*ṣāniʿ, ṣabbān*).³⁷⁶ The members’ main concern was the trade in all its aspects: the purchase of olive oil, the preparation (“cooking”) of soap, and most importantly its sale to customers in Jerusalem, as well as its export to different parts of the empire. Although in the 18th century we have references to very large soap consignments being exported via Jaffa to the core provinces of Anatolia, and in the 16th century we came across soap shipments to Yemen, the main outlet for Jerusalem soap throughout all the Ottoman years was Egypt.³⁷⁷

Although the selling price of soap in Egypt included several expenses that were added to the commodity as the caravan progressed along its way, the main element was, nonetheless, the price of the soap itself as it had been calculated in Jerusalem; its most important component was the raw material, i.e. the olive oil. Weather and botanical-agricultural conditions caused fluctuations in the annual

³⁷⁴ Cohen, *Economic life*, p. 84; MA, vol. 1, pp. 37, 40, 42, 46.

³⁷⁵ MA, vol. 1, pp. 37-47, 50. The lists are occasionally followed by the formula “and the rest of the merchants” or “[these are] among the [wider group of] merchants”.

³⁷⁶ On the different stages of the production process see my *Economic Life*, pp. 81-6.

³⁷⁷ Cohen, *Economic Life*, p. 87; JS, vol. 286, pp. 82-3.

yield of the olive trees, and hence concomitant changes in the price of the oil extracted therefrom. The scattered data available for the first half of the 17th century indicate that other factors—probably growing demand—affected the general trend of rising prices of oil. In 1604, 1 *qinṭār* of oil was priced at 20 *sulṭānī* gold coins (of 40 Egyptian *qiṭ'a* each), hence 1 *raṭl* cost 8 Egyptian *qiṭ'a*. Five years later, 1 *raṭl* came to 13.5; in 1609 it went down again to 8, but by 1632 had reached 17 Egyptian *qiṭ'a* per *raṭl*.³⁷⁸ The general upwards trend (if we disregard seasonal fluctuations) is further emphasized when we reverse the chart, to the late 16th century, when olive oil for the preparation of soap was sold at the equivalent of 5.2 Egyptian *qiṭ'a* per *raṭl*.³⁷⁹ One *raṭl* of soap cost 10.8 Egyptian *qiṭ'a* in 1604, 16.5 in 1608, 13 in 1618, 12 in 1632 and 13 in 1633.

When, in the latter year, soap merchants complained that they were losing money, the kadi authorized an increase of 2 Egyptian *qiṭ'a* to 15 per *raṭl*.³⁸⁰ The reason was the scarcity of oil that year; hence this increase was necessary to create an incentive for the soap merchants to buy oil from the new yield, and use it in the production line, generating additional income.

The kadi never regarded the testimony of the party involved as his sole source of information, and habitually consulted other knowledgeable informants (e.g. the *muḥtasib*); but once convinced of the authenticity of their request, he confirmed it and authorized the increase. The same was true with regard to setting the price to be charged in Egypt: in 1604, for example, the kadi agreed to add another 6 Egyptian *qiṭ'a* to every *raṭl* sold, after receiving a detailed breakdown of the various expenses incurred on the road to Cairo; in 1632 he calculated this surcharge to be worth 4.5 *qiṭ'a* to every *raṭl*. This meant a rise of some 40%-60% over the original price in Jerusalem, a substantial increment that had no negative effect on the demand in Cairo. A large part of it could have been saved by taking the sea route, but disasters such as the sinking of a consignment they had tried to dispatch by ship in 1603 (probably also the growing activity of pirates in the eastern Mediterranean) served as a reminder that the land route, though more costly, was preferable to any alternative.³⁸¹ The authorized price became official and binding for

³⁷⁸ MA, vol. 1, pp. 42, 44-5, 48, 51.

³⁷⁹ See my *Economic Life*, appendix 2, pp. 144-5.

³⁸⁰ MA, vol. 1, pp. 43, 45-6, 49-51.

³⁸¹ MA, vol. 1, p. 44.

everyone, and it seems to have left a large margin of profit for the merchants who stood to benefit from it, as well as from earlier stages of the production process. The kadi, although formally representing the central administration, emerges once again as the main support of the people: he would not automatically back every request for higher prices, but whenever presented with convincing arguments, would authorize what amounted to a higher income for the members of the guild. On occasion we became aware of his apparent over-indulgence in helping the soap merchants: in 1608, for example, he authorized an exceptionally high price of 80 *ghirsh asadī* per *qinṭār* of 100 *raṭl*, which included a surcharge for the different exchange rates between Jerusalem and Cairo.³⁸² Unable to verify this claim, all we can do is raise an eyebrow, since although the same situation must have held true before and after this episode, it was not taken into account in other documents dealing with the same question.

Each soap factory's production capacity was different; the appended facilities (e.g. the number of oil-storage pits, the location) also contributed to the total value. A case cited in 1602 indicates that the 16th-century boom in this field extended to the following century: less than 20% of a soap factory was purchased by a member of this guild for 250 *sulṭānī* gold coins.³⁸³ It did not stop there: in 1723 a high-ranking officer, *za'īm*, sold his 33% share of the al-Bashawiyya soap factory for 900 *ghirsh*—comparatively speaking a very significant appreciation of value, indicating the large profits anticipated from this enterprise.³⁸⁴ A less auspicious fate befell another soap factory in Bab al-ʿAmud neighborhood, part of the al-Azbak endowment, which in 1712 was declared non-operational and virtually in ruins; hence it was exchanged (*istibdāl*) for another property (with the aim of solving the endowment's immediate problem. This also indicated that someone else hoped to benefit from this one, eventually; as did the new buyers of an adjacent "Roman" complex of 21 vaults who invested 90 *ghirsh* there). This was not unique: in 1783 another soap factory located nearby, in Suq al-Zayt, was leased for 15 *ghirsh* annually on a long-term basis, along with several adjacent shops, all of them in a state of ruin and constituting a source of discomfiture to passersby. This may have improved the situation, but a much more

³⁸² MA, vol. 1, p. 45.

³⁸³ MA, vol. 1, pp. 52-3. See also my *Economic Life*, pp. 65-74.

³⁸⁴ JS, vol. 218, p. 410.

massive investment than only the rent was needed to reactivate the place. Hence, in 1801, a member of the distinguished al-'Alami family undertook a thorough repair project that would cost the sum of 1550 *ghirsh*, to be subtracted annually from the cost of the renovation and of the now more lucrative lease of 25 *ghirsh*.³⁸⁵ He certainly did not do this as an act of piety; the only reasonable explanation for such an investment is that the entrepreneur involved expected high returns.

This was by no means a unique phenomenon: in 1764 a certain spice-dealer, who was also the administrator of the Dome of the Rock endowment, submitted a detailed report of his expenses for repairs in a dilapidated soap factory that was part of that endowment. Three years later, another spice-dealer was a partner in the operation of yet another soap factory, located in the Jewish quarter.³⁸⁶ Soap production seems to have been sufficiently lucrative to attract investors from these and other circles who were willing to take a calculated risk—in anticipation of profits based, no doubt, on their acquaintance with the economic realities of their time and place.³⁸⁷

A closer look at these realities further validates our assessment. In 1719 a merchant, who had been producing soap for six years at a soap factory of the then-*naqīb al-ashraf*, submitted a financial report of his activities. The commissions he collected during this period amounted to an average of over 2000 *ghirsh* per year. Even if we take at face value his testimony that his expenses amounted to two-thirds of the total intake, a large net income remained, and judging by what we know from other reports of actual expenses incurred, we may certainly assume much higher profits.³⁸⁸ Fifty years later, in 1769, the claim to part of the profits of an operator of Muhammad Qutayna's soap factory was turned down when the kadi learned that the claimant was not a partner as he indicated, but rather a hired journeyman. But even as such he knew the amount of profit in question when he demanded his alleged share of the 6000 *zolta* for one year, and 800 gold coins for the other.³⁸⁹ These are substantial sums of money, both for the individual soapmaker and for the town,

³⁸⁵ JS, vol. 207, pp. 226, 244; vol. 263, p. 164; vol. 283, pp. 108-9.

³⁸⁶ JS, vol. 248, p. 39; vol. 250, p. 34.

³⁸⁷ As well as others, e.g. an investment by a Jerusalemite in a dilapidated soap factory in Jaffa in 1726 (JS, vol. 221, p. 275).

³⁸⁸ JS, vol. 214, p. 36.

³⁸⁹ JS, vol. 254, pp. 400-1.

which altogether had some 20 such factories. No doubt, then, the well-placed, knowing *muhtasib* tried to gather a crumb for himself: in 1774 he was taken to court by several soap merchants for his attempt to levy a special tax of 1 Egyptian *qif'a* for each earthenware 5 *ratl* jar of oil purchased by them for the production of soap. They insisted that oil had always been brought directly to the soap factories, and bought without anyone's interference. Their evidence, both written documents and oral testimonies, confirmed their claim; hence the kadi ruled in their favor, and declared his underling's attempt to be unlawful and therefore null and void.³⁹⁰

The soap was "cooked" inside the soap factory, each concoction (*ṭabkha*) made of 10 *qinṭār* of olive oil, to which some ingredients were added (e.g. alkali, lime); 14 *qinṭār* of soap would be produced out of this. Hoarding soap was apparently regarded as a reasonably good investment for non-producers (the guild members, quite naturally, were always anxious to sell their products so that they could buy new oil): if we take, for example, the inheritance of the affluent "chief builder" of Jerusalem in 1746, it contained 2 soap *ṭabkhas* that were estimated at 2138 *ghirsh*, i.e. 1069 each. Divided by 14 we would reach a price of 76 *ghirsh* per *qinṭār*—almost twice as much as the cost of soap in the 16th or 17th centuries. Another price, quoted in 1734, estimated a *ṭabkha* at the even higher value of 1200 *ghirsh*, and in 1712, i.e. at an earlier point in the 18th century, a price 50% higher than the amounts recorded for that century was charged for soap. The price of olive oil did not undergo a similar quantum leap, nor those of the other ingredients used in the process. In other words, even if we regard this as an exceptionally highly priced soap, the proportion of 1:1.4 established for the increase in volume in the course of production, and reconfirmed from 18th century data, must have left the producers with a fine profit on their investment.³⁹¹ It should be remembered that quite often the soap factories were leased out to other oil owners who wished to have soap produced in their own name. In those cases they could not earn as much, but they were paid a commission of just over 10 *zolta* per each "cooking", and thereby tapped another source of income.³⁹²

³⁹⁰ JS, vol. 254, p. 156.

³⁹¹ JS, vol. 207, p. 229; vol. 227, p. 213; vol. 235, p. 82. Several years later, for example, olive oil was sold for 15 *qif'a* per *ratl* (vol. 234, p. 261). For 16th-century statistics see my *Economic Life*, p. 95. For the 18th century see, e.g., JS, vol. 234, p. 133 (olive oil sold for 17 *qif'a* per *ratl*).

³⁹² JS, vol. 225, pp. 186-7, for the beginning of the century; vol. 268, pp. 99-

Finally, we should note that this prosperous craft contributed to the general welfare of Jerusalem beyond the direct income accruing to this guild and its workers: a special tax was levied for each consignment (*himl*) of soap exported to Egypt, providing a steady income earmarked for the regular supply of prayer mats in the major mosques of the Temple Mount and Hebron.³⁹³ Thus the importance of the merchants-artisans to Jerusalem extended beyond their immediate contribution to the town's economy and included the wider religious sphere as well.

42. *Soap porters* ('attāl)

Those who worked in the soap factories, either as journeymen or assistants on the production line, were hired manpower who were not organized into a guild. Soap, an important and bulky export item, required special attention in all that concerned its transport and packaging. There was, therefore, a separate guild of those engaged in all the post-production stages—the (soap) porters ('attāl).

Their main function was to spread the newly produced yield in conelike pillars, formed of interspaced layers of soap cakes (referred to as *tashbīk*, interwoven in latticework fashion) that would allow a constant flow of air for drying purposes. They also moved the dried soap cakes from this section to another, just outside the soap factory; loaded them into the proper sacks for transportation and helped with the weighing of each consignment. For each stage they collected a separate payment: 20 Egyptian *qif'a* for the first, plus two cakes per person, then 2, 2 and 1 *qif'a* per camel-load (*himl*, amounting in Jerusalem to approximately 140 *ratl*) for all the following ones, respectively.³⁹⁴ The limited space in which they had to perform the aforementioned central function, starting with the cutting of the soap cakes, required the employment of children whose maximum number was not to exceed eight, and who, as prescribed by the kadi, “should not be [too] small”.

All the guild members had to agree to these as well as the other

100, and vol. 272, pp. 98-9 (when the growing demand enabled them to double the commission they were paid), for the end of the century.

³⁹³ JS, vol. 277, p. 3; vol. 282, pp. 39-40. For the quantities involved in the early 19th century see: vol. 290, p. 23.

³⁹⁴ MA, vol. 2, p. 62. For further details see my *Economic Life*, pp. 81-4, 88-9.

regulations of their craft, which were enforced by their head. The latter was appointed by the kadi at a session attended by his colleagues, who recommended him and pledged full obedience to him. He, for his part, pledged to treat them equally (although it was agreed that the sons of three guild members would each be allocated only half of the regular share, probably because of their young age).³⁹⁵ At the beginning of the 17th century there were more than ten soap porters, whose descendants followed in their footsteps in later years.³⁹⁶

On one occasion we get a glimpse of what sounds like a conflict over wages. In 1612, six guild members walked out, declaring that they refused to work for the wages offered by the producers. The latter insisted on a wage scale based on the concept described above, with only slight changes. The determination displayed by the porters proved weaker than their threats. Sometime later four other porters, related to some of the older ones, agreed to abide by the new regulations; thus no interruption occurred in the overall process of release and distribution of the soap consignments to their potential customers. Some 40 years later we encounter the sons of most of the old members functioning within the regular framework of the guild; in spite of the general boom, from which the producers benefitted greatly, the porters had been taught a lesson: they seemed complacent about accepting a somewhat lower wage than the one their older generation had vainly tried to resist.

The provincial authorities' rather severe approach to the soap porters was also manifested in the guild's renewed setup: the lax structure that prevailed at the beginning of the 17th century, where a less formally defined *muqaddam* (i.e. "the one put in front of" his peers) applied equality among them all while conforming to the need for "the strong one to feed the weak",³⁹⁷ was replaced by the more ordinary, and more rigid, *shaykh*, who conducted it along the same lines as in the other guilds. If we are to draw any conclusion from an inheritance of a soap porter dating 1773, at least one member of this guild did quite well under the circumstances: his belongings were

³⁹⁵ MA, vol. 2, p. 63.

³⁹⁶ Atallah misread some of the documents (MA, vol. 2, pp. 83-4) which he mistook to be another guild, *al-fattālin*, but a close look at their names, when compared with those listed in our guild (MA, vol. 2, pp. 62-4), convincingly shows that the two were identical—*al-ʿattālin*.

³⁹⁷ MA, vol. 2, p. 83.

estimated at about 650 *zolta* and included two rifles as well as shares in two separate buildings.³⁹⁸

43. *Muleteers* (*makkārī*)

The transport of soap consignments from Jerusalem to Egypt via the overland route, as well as their maritime export via the port of Jaffa, required a regular guild that handled pack animals. Large consignments were carried by camels, smaller ones by the highly popular mules, which were always aided and guided by donkeys. The guild members were called muleteers (*makkārī, qāṭrjī*).

At different stages during the 17th century, when a head of the guild was appointed by the kadi, we encountered different members who attended the court, many of them sons of members of the older generation—ten or more altogether.³⁹⁹ Since this guild's functions took its members outside of Jerusalem quite regularly, its head was occasionally absent, at which times his supervision of their activities was rather problematic. In such cases he always appointed a deputy who attended to all impending duties, and with whom he also had to leave behind at least one mule, for emergencies.⁴⁰⁰ Given his responsibilities, this deputy had to be vouched for by members of the guild who did the same for the incumbent head, in accordance with their regular mutual pledge before the kadi.

During the 18th century, no significant changes occurred in the functioning of this guild. In 1722 the kadi confirmed the request of the 18 different muleteers who came to the court and asked that he appoint one of them to the vacant position of the guild's head. The new appointee was warned that he should treat them all equally, as usual. This time, however, the principle of equality had a special meaning, since Jewish and Christian muleteers had joined the guild alongside the Muslim majority. Some 120 years earlier the kadi had had to warn the guild against exploiting the Jewish pilgrims; in the meanwhile this was more handily rectified by Jews joining it: in 1722 the friendly diminutive appellation of "Moshiko" to one of them indicates the degree of Jewish involvement. In later years we encounter other Jewish muleteers.⁴⁰¹

³⁹⁸ JS, vol. 255, p. 73.

³⁹⁹ MA, vol. 2, pp. 204-6.

⁴⁰⁰ MA, vol. 2, pp. 205-6, 208.

⁴⁰¹ JS, vol. 209, p. 137; vol. 214, p. 307; vol. 217, p. 339; vol. 222, p. 102; vol. 228, p. 38; vol. 251, p. 102.

Christians, too, joined this guild, and the list of 1722 referred specifically to two of them. These were not exactly a new element: in the very early 17th century we encountered a Christian guild member (originally from Lydda) conducting such active trade that he had to hire a full-time assistant muleteer (“on a par with his peers”) to run errands for him with his mules for the monthly pay of 1 *ghirsh* (to be collected at the end of each month). This was the going rate for hired labor, and seems to have been standard procedure—Christian and Muslim alike—within this guild: in 1619 another muleteer hired a Muslim from Safed “to attend to his five mules” and carry out any assignment required for the same annual salary.⁴⁰² To tighten the supervision over the services offered to Christian pilgrims, the 1722 document stipulated that the permission of the guild’s head should be sought on each occasion where Christians were hired.

Unlike other guilds, this one operated over an extensive stretch of land, which involved coordination with their peers in other urban centres, particularly with the muleteers of Ramle and Gaza: the Jerusalemites pledged to pay all of the latter, whenever they hired an animal in either of these towns. On another occasion, in 1744, other regulations concerning the Christians were brought to the guild’s attention. The well-established procedure was that when pilgrims arrived in Jaffa, the port’s customs officer would hire from the muleteers the number of animals they needed, pay the customary 4 *zolta* per animal, and have them escorted to Jerusalem. The growing number of pilgrims arriving in Jaffa whetted the appetite of the guild members, who sometime earlier had demanded a raise—a demand the Christians refused. In support of their claim, the latter produced old Muslim witnesses who confirmed that 4 *zolta* had always been the exact rate paid coming to Jerusalem, followed by a similar sum on the pilgrims’ return to Jaffa, and another 4 *zolta* for a round trip between Jerusalem and the Jordan river. In the latter case, every pilgrim made his own arrangements directly with the muleteers, whereas their fee from Jaffa was handled by the customs officer’s interpreter. He would personally accompany them on their way to Jerusalem, riding in front of their caravan and taking care of the *ghafar* road-tax payments to the bedouins. The kadi adopted the Christian stance; he then summoned the entire Jerusalem guild, along with the muleteers of Jaffa, Ramle and Lydda, quoting a sul-

⁴⁰² MA, vol. 2, pp. 246-8.

tanic decree and warning the muleteers: no one could charge more than 4 *zolta* from the pilgrims travelling between Jaffa and Jerusalem, plus another for each animal's fodder. This was agreed upon by all present, and the muleteers pledged in the traditional way (*bi'l-samā' wa'l-ṭā'a*) to act accordingly.⁴⁰³

44. *Bookbinders and booksellers* (mujallid al-kutub, bā'i' al-kutub)

As noted, the importance of Jerusalem in Islam, and more particularly that of the holy shrines on the Temple Mount, attracted a steady flow of Believers and pilgrims who wished to visit the various sites and possibly benefit spiritually from them. Some of these opted for an extended stay, joining scholarly institutions (*madrasa*, *zāwiya*) and other study groups under the guidance of the scholars (*'ulamā'*) who lived there. The substantial annual subvention (*ṣurra*) sent from Istanbul and Cairo to support the upkeep of many religious officeholders in Jerusalem, contributed to increase the number of those whose main occupation involved the reading of books and sharing of their information with others. Although there was no printing in Jerusalem (or in other urban centres in the Ottoman Empire) during the period under review, there may have been copying of existing manuscripts and, more important, binding and rebinding of the books available there.

Shaykh Ibrahim al-Kashmiri, of Indian origin as his name indicates, in 1730 was appointed head of the bookbinders and booksellers of Jerusalem. Some 30 years earlier, in 1702, his father, now deceased, was granted a warrant (*berat*) for the same position, and now the kadi nominated the son.⁴⁰⁴ Although he was a new nominee, this was not a new institution; in the 1680s and 1690s similar appointments were announced, either for members of the guild or for its leadership.⁴⁰⁵ On all occasions the new head was commended for his truthfulness and honesty, as well as for his professionalism and religious zeal. These were all-important qualities, given the kind of texts that were dealt with by the members of this guild. The

⁴⁰³ JS, vol. 233, pp. 87-8. We do not have enough data to generalize on the economic achievements of members of this guild, but the one available reference from 1717 (JS, vol. 212, p. 50) indicates that at least the muleteer whose inheritance was recorded there had done reasonably well, and even owned parts of four different buildings in Jerusalem.

⁴⁰⁴ JS, vol. 223, p. 354.

⁴⁰⁵ MA, vol. 1, p. 34.

kadi, therefore, specifically mentioned that these yardsticks should be applied by him in all his future activities. The document of 1730 indicates that the number of guild members was steady: if, on a future occasion, any member were to consider vacating his position, suggesting that the head of the guild replace him, this information was not to be acted upon arbitrarily. It was to be made available to all potential candidates among the local scholars (*‘ulamā’*), or any other functionaries serving in the various endowments in town.

45. *Public criers and brokers* (dallāl)

The bookbinders and booksellers were a most reasonable combination. The original term used in our documents for the latter was either the basic *bā’ī* or the less common *dallāl*. The initial meaning of the verb *dalla* is “to indicate, to demonstrate, to show publicly”; hence when we first encountered the noun stemming from it, in the 16th century *tahrīr* records, we rendered it “public criers”.⁴⁰⁶ In 1565, when the kadi warned several spice-dealers that they must acquire a head for their guild, he also told them to get an appropriate *dallāl*—a public crier, no doubt.⁴⁰⁷ However, even at that early stage we thought the same noun might possibly also mean a “small merchant”. After all, the person who publicly announced other people’s commodities for sale could add items of his own and gradually become a merchant in his own right.

The 17th-century court records provide ample information that substantiates our earlier hypothesis on the way this term should be understood. A language is a living phenomenon, as we know; thus over the years the exact meaning of a word may undergo certain modifications. The noun *dallāl*, indicating a profession, became “a broker”, “a middleman”, i.e. a dealer, but the guild kept exercising its original public-crying as well. Within the same guild a distinction was made between the *munāḍī*, i.e. the person who made the public announcement, and the *dallāl*, the broker. A person could practice both functions, then be referred to by both terms (*dallāl wa-munāḍī*), but by now the line was very distinctly drawn. When remunerated for their services, payments for any transaction carried out by guild members were to be divided into three identical parts: one for the broker, one for the public crier, one for the head of the

⁴⁰⁶ Cohen and Lewis, *Population*, p. 130 and note 45.

⁴⁰⁷ See my *A World Within*, part 1, p. 133.

guild.⁴⁰⁸ Whether represented by one individual or not, the functions were clearly defined, and the appropriate way to address the guild from the 17th century on would, therefore, be “brokers”.

This was one of the most active guilds during the 17th century. One indication, as we have seen in earlier cases, is the pace at which its heads were replaced: more than 15 different individuals in less than 100 years, some of them being appointed to this position more than once. Moreover, the keen interest displayed in this position by more than one person at a time brought about some fierce competition that in several cases ended in former opponents sharing the leadership. The percentage suggested above for the share he was entitled to looked quite enticing from the guild’s head perspective, but even if the reality was less rosy, there must have been sufficient incentives to undertake the post. The attraction was such that some candidates came from other fields; once appointed, they must have given up those fields: in 1625 the head who had been part of the Damascus governor’s entourage gave up this position, to be replaced as the guild’s head by another military officer from the garrison of the Jerusalem citadel, who managed to stay in this job for several years. In 1633 the former chief cook at the Khasseki Sultan soup kitchen competed with an established guild member, and the conflict was such that other people had to intervene until they reached a compromise, whereby each got half of the job.⁴⁰⁹ Some of these tensions resulted from the fact that candidates would seek—and receive—nominations from Istanbul, which the kadi could not ignore, even when these conflicted with other information at his disposal. During different years in the 17th and 18th centuries there was another kind of candidate who competed for this position: the head of the North African congregation (*maghāriba*), who in 1673, for example, claimed that he was entitled to this position as of right (along with that of the official couriers—*al-su’āt*), since two years earlier he had been granted an official decree from Istanbul to that effect. When the relevant document was authenticated by the kadi, he confirmed the appointment, as well as the daily stipend of 8 *qif’a* that went with it.⁴¹⁰ The combination of a steady salary and a cer-

⁴⁰⁸ MA, vol. 1, pp. 182, 184.

⁴⁰⁹ MA, vol. 1, pp. 156, 158.

⁴¹⁰ MA, vol. 1, p. 165. Atallah’s reading *al-suqāt* should thus be rectified. These messengers were usually sent on official business to the main cities of the empire

tain percentage of every guild was, indeed, exceptional, and made this position even more lucrative than others.

The members of this guild pledged to consult their head on every deal—whatever commodity they sold: slaves and concubines, or animals, as well as inheritances put up for public auction—and to obey his orders. As long as he did nothing to antagonize the guild members and committed no offense (*junħa*), he could proceed with his responsibilities. If, on the other hand, he could not properly conduct the guild's affairs, either because of health problems or due to his absence from town, the kadi replaced him immediately. When, in 1649, the head of the guild became paralyzed, unable to “serve the governors of the land, nor the Muslims”, the kadi did not even remove him; he just added a second head who was sufficiently qualified to perform all his duties.⁴¹¹ He did this, probably, as an act of grace, so that the original person could continue to enjoy some of the benefits that came with the job. The more usual pattern was the one followed in 1688, when eight guild members complained of the misconduct of their head who had not only imposed on them a higher share than the one they had normally paid, but was also, it was feared, contemplating leaving town without paying owners their due for items they had deposited with him. The kadi replaced him immediately, and instructed the new head, another North African, to refrain from appropriating the proceeds of any sale—be it live animals or the belongings of a dead person. Moreover, ruled the kadi, he should apply the principle of equality to himself as well as to all the members of his guild by limiting his cut to just one share of the revenue, identical with the share every other member was entitled to.⁴¹²

The items to be sold by the broker were deposited with him; he was not allowed to buy any for himself, and once the deal was completed he was expected to give the money earned to its lawful owners. Although many of the commodities sold were not as precious as was the case with the silversmiths, the accumulated value of the articles the brokers were entrusted with could have reached substantial sums. The suspicion expressed by the guild members in 1688 was, therefore, not at all hypothetical; there were numerous cases. In 1627, for example, a well-established broker disappeared from

(e.g. Cairo, Damascus, Istanbul), and the local kadi had to be notified of their errand (JS, vol. 209, p. 537).

⁴¹¹ MA, vol. 1, pp. 154, 157, 159.

⁴¹² MA, vol. 1, pp. 166-7.

Jerusalem, taking with him everything he had been entrusted with by his customers. The way to minimize the effects of such a mishap was to have respectable people vouch for the broker's behavior. We have seen it happen in other guilds; in the present case, however, the number of written pledges copied into the registers is much more impressive than elsewhere. In the lawsuit just summed up, for example, the person who had vouched for the evasive broker was summoned to court, and while he promised that he was trying to apprehend the fugitive, he was asked to provide another pledge, this time for himself—which he did.⁴¹³ Generally speaking, the pledge was to fetch the broker whenever summoned (*kafālat ihdār*), but some of them specifically referred to the eventuality of loss or theft of any item for which the guarantors personally undertook to pay (*fi'l-māl wa'l-dhimma*). All of these pledges were made in the court, but quite often the head of the guild was directly involved—either as a guarantor for a member of his guild or, more commonly, as the person who conducted the session at which the pledge was made. Another stratagem was to avoid granting an applicant for brokership a sweeping, general permit, instead dispensing a limited one; thus, a broker was authorized to deal only in the sale of consumer goods, or only in a particular brand of animals (e.g. donkeys).⁴¹⁴

Whenever the term “all” members was used in association with this guild, it had a much wider meaning than normally assumed: it also included women and Jewish members. There were Muslim women involved in brokerage, as specific references were occasionally made to guild members—“male and female” alike. However, the names available in our documents pertain to Jewish women only: in 1631-2, for example, nine different Jewish women and six Jewish men were vouched for separately as brokers, in most cases by a Jewish guarantor.⁴¹⁵

This may have come down to us by pure chance, or it may be that stricter rules were applied to the somewhat different, hence rather less reliable Jewish members of the guild. We tend to ascribe it to the former rather than the latter reasoning, since years later, in 1720, when another batch of guarantees for brokers was recorded in the court registers, it included two Jews, one Christian, and seven

⁴¹³ MA, vol. 1, p. 170.

⁴¹⁴ MA, vol. 1, pp. 185-6.

⁴¹⁵ MA, vol. 1, pp. 167, 171-80.

Muslims.⁴¹⁶ This, in any event, should not be interpreted as a diminishing Jewish participation—the opposite was the case. In 1788, as well as in 1794, references were made to a particular section, that of the Jewish brokers, within the general guild. Not only were they recognized as a separate entity, but the kadi even agreed to appoint one of them and they all pledged to fully obey him as the head. They remained, however, an integral part of the guild and regularly pledged to transmit part of their income to the guild's head. All profits, as well as losses they might incur, were to be distributed among them in equal shares in the following manner: since their section contained 10 members, the proceeds of each transaction would be divided into 13 shares, 1 for each with the remaining 3 dedicated exclusively to their head.⁴¹⁷ In this voluntary partnership arrangement, although they appointed a scribe for their section's bookkeeping, much depended on the honesty and sincerity of their reporting. If, warned the kadi, anyone proved to be cheating his colleagues ("at a rate of 1 *ghirsh* or more"), he would remove him from the guild, then fine him accordingly. We may recall that in the preceding century the percentage offered to the head of the guild was 33.3, basically not very different from the share he was promised here. In the course of two centuries no meaningful erosion in the role and importance of the head of this guild can be traced.

On the whole, the same features that we have observed during the 17th century may be discerned in the 18th. Late in 1714, for example, the kadi appointed two heads for the brokers' and the messengers' guilds, concurrently.⁴¹⁸ The first of the two was referred to as "the North African", a connection we have noted earlier. In a variety of documents recorded during different years of that century, we witness recurrent attempts to wrest these lucrative positions from the head of the North Africans and invest the honor, and more importantly, the accompanying income, with other candidates. In 1728, for example, a saddlemaker (*sarrāj*) and a fez seller (*qā'uqqū*) claimed that they had been granted these two positions by a sultan-ic decree from Istanbul, although the head of the North African descendants of the Prophet in town insisted that upon the death of his predecessor he had been put in charge of both functions. As it

⁴¹⁶ JS, vol. 215, p. 200.

⁴¹⁷ JS, vol. 269, p. 22; vol. 275, p. 45.

⁴¹⁸ JS, vol. 209, p. 260.

turned out, the two outside contenders had attained their nominations under false pretenses, in violation of the incontestable link established for generations among all these functions. Thereupon the kadi confirmed the status quo, to the disadvantage of “the foreigners” who had tried to usurp it.⁴¹⁹

The lower echelons, the regular members of the guild, went on about their routine business: making their usual public announcements of potential transactions or actual sale lists of inheritance items, large or small. They also set the suggested prices, in accordance with their professional knowledge and the usual laws of supply and demand: thus, for example, a house left by a deceased person was estimated by the broker at a certain price, then—probably because of its substantial value—it was publicly announced for 60 consecutive days, to make sure that there was no higher bidder.⁴²⁰ These announcements were made orally, providing the brokers with ample work that was not necessarily reflected in an equally substantial income: those who remained in this field did not impress us as living in particular comfort, e.g. a broker’s inheritance in 1760 amounted to 226 *zolta*.⁴²¹

⁴¹⁹ JS, vol. 221, pp. 510-1. The origin of this connection is unclear to us, but we doubt that it had any ethnic basis: we know positively that the brokers were not North African, and the expression “the North African messengers” (*al-su’āt al-maghāribā*) that appears in this document was probably a scribe’s error replacing the authentic *al-sāda al-maghāribā*. For other attempts of a similar nature see: JS, vol. 209, pp. 281-2; vol. 265, pp. 2-3, 88.

⁴²⁰ JS, vol. 218, p. 402.

⁴²¹ JS, vol. 243, p. 172.

C. CONCLUSION: GUILDS AS HARBINGERS OF CIVIL SOCIETY

The story told in the preceding pages attests very clearly to the solid existence and the teeming activities of professional guilds throughout the years of Ottoman rule in Jerusalem.

Up to the first decades of the 19th century, influential professional guilds functioned in Jerusalem. They were not a residue of earlier, classical Islamic rule,¹ but were highly significant, intensely active institutions, encompassing all major and sometimes minor aspects of life of the local population. Hardly a shred was left of the old-time association of Islamic guilds with religious orders, although values of religiosity and righteous conduct were still among the criteria for choosing their heads. "Priority of moral criteria", to borrow David Landes's formulation, was indeed applicable to our Ottoman context.²

On the face of it, one may wonder how "relevant" the guilds were. Conspicuous in a historical scanning of Jerusalem's society during those days were the more usual and normative spheres that included the governor and his retinue, members of the religious establishment and their various subordinates, as well as the military units stationed in the city, all of which were more and more closely linked to the rest of the indigenous population. The less articulate members of the family structures and of society as a whole were the old people, the younger generation, and the women. Although these were all, of course, present, in our sources they emerge only rarely if at all. Particularly conspicuous in Jerusalem were the religious minorities—Christian monks and clergy, Jewish scholars and students, pilgrims of all denominations who came to visit and not infrequently decided to extend their stay. Another component of the local society that left a similarly low profile, thus remaining almost unnoticed until recently—in Jerusalem, not unlike other urban centres of that time—were the economically active crafts and guilds.

¹ As suggested by C. Cahen's title: "Y a-t-il eu des corporations professionnelles dans le monde musulman classique?" in A. H. Hourani and S. M. Stern, *The Islamic City* (Oxford and Philadelphia, 1970), pp. 51-63.

² D. S. Landes, *The Wealth and Poverty of Nations* (London, 1998), p. 243.

Volume and composition

In studying the proceedings of the Shar'i court these organizations emerge, first in connection with individuals referred to casually who personified particular problems, then as larger groups, *tā'ifa*, which eventually combined to form an intricate network of professional guilds. The aggregate figure of identified members of the guild system in any year of the period under review is roughly 900. Since many of the documents also refer to "the rest" of the members of a given guild, and as we know that the novices and less accomplished journeymen remained unidentified in our sources, we may assume a group easily reaching 1000 individuals. If we bear in mind that Jerusalem around 1800 contained a population of approximately 9000,³ this figure indicates a surprisingly high percentage of economically active inhabitants. The vast majority of these were Muslims, with some Christian and Jewish presence as well, covering, as we have seen, an extensive range of occupations.

Although the court proceedings offer very reliable information and enable the reader to reconstruct a quite detailed picture of guild activity and guild life in Ottoman Jerusalem, the final result is far from perfect, because of our human limitations as well as the lacunae in the information available. Glimpses into the guilds' makeup and *modus operandi* are scattered throughout the court registers in cases deliberated by the kadi or in copies of documents he issued to interested parties. Although the picture that emerges is very broad, it is not all-inclusive: there may, in fact must, have been some guilds that through pure chance left no trace in our sources. Several possibilities of additional guilds that left their mark on similar contemporary Syrian or Egyptian towns are missing from our list: Jerusalem was a holy town and therefore may not have tolerated the professional activities of prostitutes, but what of ordinary thieves, whose organized existence we have learned about elsewhere, and who occasionally operated in Jerusalem? Or is it not likely that groups were formed to guard against the perpetrators of such mischief—*'asas* (Ar.) or *ases* (Tur.), terms that are occasionally mentioned in the court proceedings?

We have, however, found no trace of such a guild. The presence of beggars in Jerusalem is established in a variety of sources, both

³ Y. Ben-Arieh, *Jerusalem in the 19th Century* (1986), p. 466.

literary and artistic; although elsewhere they were organized in guilds, no such organizations are described in the sources that were available to us. The *karagöz* shadow players or the *hakawātī* storytellers whose public activity in coffeehouses we know of from similar surroundings in other Ottoman towns and from later years in Palestine, should probably have surfaced in Jerusalem too. A group related to certain guilds we referred to earlier, that of the musicians—*mehter*—who might have functioned as a similarly structured entity, has apparently disappeared from our sources. Or were the cases we cited simply atypical examples of some salaried functionaries who should be regarded as exceptions to the prevailing pattern? True, we encountered only a few samples of female participation in the guilds,⁴ but it would be hard to conceive of a society without a midwife, the famous *qābila*, an institution well ensconced in other Middle Eastern Ottoman towns. There are also two earlier references (p. 182) to certain professionals whose names and titles were included in our sources (*sarrāj*, *qā'ujjī*) but who did not appear as guild members, though other references in similar contexts suggest a logical tendency to relate to them as members of guilds that had the same name and fulfilled similar functions.⁵

In short, the more than 400 guilds identified by al-Qasimi in Damascus in the late 19th century, or the more than 200 that Baer described as functioning in Ottoman Cairo, although more appropriate for a much larger society, undoubtedly included several professions and guilds that must have functioned in Jerusalem as well. They do not appear on our list, but the available evidence is more than sufficient to draw general conclusions about the system as a whole.

Grouping the known Jerusalem guilds according to the functions

⁴ As did 'Abd al-Karim Rafiq in Damascus and Aleppo, although he tends to subscribe to the idea that since women's names are missing from the lists of guild members, they may have taken no part in this system. The example he cites, however, indicates (Rafiq, *Buhūth*, p. 164) that in 1627 Aleppo knew some female participation—in this case a woman who was formally entitled to half a share (*hiṣṣa*) of the raw material for the production of candles. This actually tallies with the picture we reconstructed, i.e. limited presence of women in the guild system, but suggests that they took an active part in some professions. See also specific references to several guilds of women in Cairo in G. Baer, *Egyptian Guilds in Modern Times* (Jerusalem, 1964), pp. 32-3.

⁵ Compare: Rafiq, *Buhūth*, p. 162 for a guild of *qā'ujjīyya* in contemporary Damascus, and Cohen, *Jewish Life*, pp. 160-1 for *sarrāj* and other types of saddlemakers in 16th-century Jerusalem.

they performed, we may speak of three major, clearly defined categories that catered to the general needs of the local society, (1) providing it with various services, (2) attending to its commercial needs, and (3) offering it an array of goods. The first group (services) comprised some 15 guilds, the second (commerce) included only about half that number, and the largest of them, which produced goods for consumption either locally or in remote places, numbered close to 25. Jerusalem's society, then, was not just a consumer of imported goods and of services rendered by its own members; more important, it was deeply involved in many areas of production, manufacturing new goods from raw materials (mostly agricultural produce) to supply local as well as foreign markets.⁶ Viewed through our modern looking glass, this appears a constructive and healthy economy. Although such a structural setup could not possibly withstand the gathering winds of change of the late 19th century and beyond, it gave the local population a dimension of stability, a sense of equilibrium and continuity.

Bringing our magnifying lens just a bit closer, we can easily establish the general outlines of these three categories. Jerusalem, like other urban Ottoman centres, was self-sufficient in many respects: its guilds provided their fellow townsmen with the staples needed for their daily subsistence (bread, meat, oil and other fats, vegetables and fruit, water, sweetmeats, spices and even coffee). Less vital but equally important were services rendered to the local population (as well as to the members of the governing and religious hierarchies) that involved providing shelter and clothing, attending to the sanitary and health needs of the living, and ensuring proper care for the dead. Catering to some of these needs required the manufacturing of articles that were also sold in other parts of Palestine (in other towns, and more importantly in the widespread rural areas), Syria and beyond: various types of footwear, pots and earthenware, textiles, knives and swords. Other items were mainly produced for sale outside of Jerusalem and Palestine: soap, water-bags, utensils, manuscripts and bound books, gold and silver artifacts. The sale of the latter items was largely directed towards the steady influx of tourists of all denominations; mainly motivated by profound religious sen-

⁶ These were the three main categories identified by Braudel in medieval Europe, controlling "the bulk of trade, labour and production" (F. Braudel, *Civilization and Capitalism, 15th-18th Century*, vol. 2, 1982, p. 315).

timents, they visited Jerusalem's holy sites, enjoyed the professional attention of guides on their way to town and within its walls, as well as the display of various goods made available to them by members of other guilds.

The guilds were not just conglomerates of professionals performing specific jobs; they had a formal structure and were directed by special heads. Unfortunately, Jerusalem does not have detailed information available on their structural composition and modalities of promotion in the 17th and 18th centuries, as does Cairo or late 19th-century Damascus.⁷ However, the general outlines can be sketched from the information we do have. Scattered references in our records enable us to identify three main categories. The first included mainly the younger people who wished to learn a particular profession and had to undergo an unspecified (fairly long) period of apprenticeship under a full-fledged member. In the course of their apprenticeship they were not regarded as members but as salaried workers (*aĵīr*). The second group, consisting of most of the guild members, comprised acknowledged journeymen ("laborer"—*ṣānī*). The highest echelon was made up of "experts" whose title (the Turkish *usta*, from the Arabic/Persian *ustādh*, or the Arabic *mu'allim*) implied professional know-how, prestige and quite often a higher income. Thus, for example, the guild of spice-dealers (see above, p. 165) divided its members into three "ranks" (*marātib*)—high, middle and low. Leading them all, and placed at the very top of the pyramid of every guild's members, was the guild's "head", usually referred to as an expert, whose formal title was "the elder" (*shaykh*).

The shaykh and his assistants

The head of the guild was officially appointed by the kadi at a court session attended by a significant number of the guild members. Although this was a unilateral act performed by the same functionary who could equally bring an end to the head's term of office, it was always a formal adoption of a recommendation submitted to him by the top guild members. Quite often, although not automatically, the newly appointed head stepped into his father's shoes, which is not surprising in view of the fact that professional know-how was kept within families and transmitted from generation to generation.

⁷ Baer, *Egyptian Guilds*, pp. 49-76; 'Abd al-Ghānī 'Imād, *Al-sulṭa fī bilād al-Shām fī'l-qarn al-thāmin 'ashar* (Beirut, 1993), pp. 250-4.

This alone was not, however, regarded as a sufficient reason for the appointment. Three major factors were weighed by the kadi when considering the new candidate: professional expertise, reliability as a human being and as a Muslim, and the support he enjoyed among his peers. These criteria were perpetually valid. If, for reasons of health, old age, changing circumstances or a deliberate decision, any of these criteria were no longer fulfilled, the person in question forfeited the authorities' support and was summarily dismissed. For both dismissal and appointment, professional expertise was evaluated by the kadi on the basis of reports he received from a variety of sources, mainly other guild members. No tests were administered, no material evidence was produced; after duly considering all available information the kadi made his decision public and issued an appropriate certificate. He also presented the newly appointed head with a special waistband (*hazm*) as a symbol of his authority.⁸ The colleague's support by most other members of the guild whose professional affairs he was expected to manage ruled out, or at least significantly limited, any protracted arbitrary behavior on his part, endowing the entire system with an intrinsic social contract between the members of the guild and their head.

There was no formal time limit attached to the appointment; hence we came across heads who served for a few months or for many consecutive years. Nowhere did we encounter a guild's head who stepped down voluntarily; the benefits seem to have been too good to relinquish. However, quite often a kadi would formally declare a valid appointment null and void. This was done whenever the individual in question could not proceed in the performance of his functions because of objective reasons (old age, illness) or other circumstances (accumulating resistance within the guild, formal complaints of inadequate behavior).

"Proper" Muslim behavior may seem extraneous to the context of the three above-mentioned criteria. However, our entire survey takes place within a given economic and social context; hence, to begin with, the application of yardsticks of proficiency and acceptability. But this professional and administrative field was just one element within a far larger domain, that of an Islamic society and state. The most cherished values were primarily those of righteous

⁸ JS, vol. 215, p. 174. This act is reminiscent of the ceremony of joining the guild, symbolized by tying a girdle (*shadd*) around the waist of all new guild members.

behaviour, of devoutly observed Muslim beliefs and conscientiously followed norms, as well as ongoing consideration for patterns and rules set by many earlier generations. Hence the application of standards such as *amāna*, *‘iffa*, *diyāna*, *istiqāma*⁹: these were the most convincing criteria for any potential candidate wishing to qualify as the head of any guild.¹⁰

On the whole these functions were administrative and professional. The head of the guild represented all his colleagues to the authorities (hence the constant reference to him as a *mutakallim*—“he who speaks for”), but his most important functions stemmed from his being the ultimate authority *vis-à-vis* the guild: he was responsible for setting and keeping the professional standards of the work performed by his colleagues, as well as for providing them with raw materials, fixing the appropriate prices for their products, and for the systematic provision of the townspeople (and more transient customers) with their products as well as with their regular professional services. The “benefits” (*maghānim*) that accrued to the guild were to be equally distributed by the head among all members. As for the other side of the balance sheet, that of the *maghārim*, i.e. the various demands and impositions with which the governor confronted the guild, the head was also held responsible and there, too, was expected to apply the same yardstick of equal treatment. In addition, whenever disputes arose among the members, the head was expected to intervene and solve outstanding problems; only as a last resort could they turn to the local kadi for a formal ruling.¹¹ It should be pointed out that each member was personally responsible for his deeds and obligations, a responsibility that was neither shared nor eroded by the head, although he would occasionally vouch at the court for certain members, a norm that applied to other colleagues as well.

Although all responsibilities (and duties) converged in the person of the guild’s head, he had a limited number of assistants for technical matters. Particularly in the larger guilds, he was assisted by the guild’s scribe (*kātib*); another functionary, somewhat vaguely referred

⁹ Lit. : “Reliability, integrity, piety, honesty”.

¹⁰ See, e.g., the most interesting discussion in JS, vol. 266, p. 34, referred to above, pp. 15-19.

¹¹ Because of lack of any evidence in our sources we cannot, unfortunately, refer to the application of certain sanctions, such as the expulsion of wayward members from the guild, or the closure of the shops of unruly members, that were specifically described as part of the prerogatives of *shaykh al-mashā’ikh* in late 19th-century Damascus (‘Imād, *al-sulṭa*, pp. 255-6).

to as a close assistant or lieutenant (who at times even represented the head) was the *yğit bāşı*, a popular term in the Turkish tradition and used in other parts of the empire to signify the head of a guild.¹² The *naqīb* was appointed by the kadi upon the guild head's recommendation and in many cases he served as the latter's deputy (whenever he had to go out of town, or in times of interregnum) and assistant. All such assistants notwithstanding, the onus of responsibility lay with the guild's head himself, and he was adequately compensated for his work. Since he was concurrently active as an ordinary guild member, he could easily benefit from commercial information he was privy to before it reached other members; at times he was more directly compensated in that he enjoyed an exemption from mandatory contributions of the guild to the governor and his retinue. Nevertheless, as a permanent arrangement throughout the 17th and the 18th centuries (see, e.g., pp. 152-4),¹³ he was regularly remunerated by all guild members, though at rates that would sometimes change. He apparently gained lucrative assets that served as a sufficient incentive for people to seek the position and to remain in it for many years, unlimited as it was by a rigid time frame.

Two indications pointed to the very sought-after nature of the head's position. First, as we have seen, there were cases in which two different members of the guild were appointed to this job simultaneously. Unlike sub-categories we encountered in several guilds, headed as they were by a particular *shaykh* who dealt with matters concerning his own group (i.e. Jewish or Christian professionals), we found no indication of a division of labor between the two different heads. Second, although the regular pattern was that all these appointments were made by the local kadi, we did come across a few exceptional cases in which a formal letter of appointment was issued in Istanbul.

Other than these, there seem to have been no limitations on the powers invested in the head of the guild; they appear to have been all-inclusive and binding. However, outside of the very act of appointment and dismissal, there were certain circumstances in which

¹² Gibb & Bowen, vol. I, part I, pp. 284-5. Our information does not tally with the general line suggested there as to the alleged replacement of the head by the bearer of this title. See also: Rafiq, *Buhūth*, pp. 168-9.

¹³ This may rectify Rafiq's uncertainty ("there is no indication that the head collected any salary from the guild") as to the question of guild heads' remuneration in Damascus and Aleppo (Rafiq, *Buhūth*, p. 166).

the guild head's performance was questioned by both his superiors and inferiors; this was particularly so when an investigation dealt with cases such as conflict between heads of different guilds.¹⁴

akhī bābā: A religious connotation for an administrative function

Our own archival source seems to be of no great value for resolving the question of duplication of functions, since it never mentions a *shaykh al-mashā'ikh*, or any similar figure of the "chief of all heads". However, as noted in several chapters of this work, there is another term that appears in the court records of Jerusalem (and Tripoli), which may point to another version of the same institution. This is the *akhī bābā* — a position that was not only of ceremonial relevance, but one that actually became involved in the regular affairs of the local guilds. It is clear that although not mentioned very often in the *ṣijill*, and altogether missing from the available chronicles of the Syrian towns, this title was not just a chance leftover from an older Islamic-Ottoman tradition. The relevance of this institution is stated in no uncertain terms, and is important enough to be cited here once more: "It has been an old custom in Jerusalem, with the aim of ensuring [public] order and comfort for people [living] in it, that the *akhī bābā* is to be the [person] who speaks for, and controls, all the guilds and crafts in it". When a certain head neglected his duties it was the *akhī bābā* who would have him reprimanded, a norm applied not only locally in Jerusalem but "in all large Muslim cities (*thughūr*)" of the Ottoman Empire (see above, p. 101). Such was the reality of the late 18th century, but the available evidence provides us with sufficient proof of this norm's application to a much wider

¹⁴ In Damascus and other towns of northern Syria there was another authority, *shaykh al-mashā'ikh*, i.e. "the head of the heads", who was expected to intervene in such cases, solve problems and serve as the highest authority. The actual functions that he fulfilled are not always clear: in the late 19th century he was reported to have had punitive powers that were traditionally regarded as part of the functions of the *kadi* (e.g. ordering corporal punishment and even incarceration). During earlier centuries he was mainly involved with the ceremonial acts of initiation and investiture of guild members (*shadd*, i.e. the public "tying" of the knotted girdle, *mahzam*, or its Egyptian equivalent of the *ḥizām*, signifying the distinctive status of every guild member). Both older and contemporary historians of northern Syria point out the ambiguity of the available information with regard to the role he actually played among the guilds, and the court records of Damascus and Aleppo seem to offer little information that can satisfy our curiosity on this score (Rafiq, *Buḥūth*, pp. 167-8, 'Imad, *al-sulṭa*, pp. 254-7, citing al-Muhibbi, al-Qudsi and al-Budayri).

chronological span. A similar pattern was identified in 17th-century Jerusalem, as well as in Tripoli during approximately the same years (see above, pp. 90-93). The *akhī bābā* was referred to as head of “the seven” guilds; a closer look confirmed his unquestioned seniority. He was also linked, at least in certain cases, to the most venerable group of the descendants of the Prophet, as well as to one of the Sufi orders, connections that may have been fortuitous but could also have had a much deeper significance—that of religious seniority. In other words: although all the powers displayed in the administrative and economic context of the guilds were invested by the kadi, he seems to have delegated his authority to a “head of the heads”—an office that was made crucially important by the existence of a large number of guilds and their wide range of activities. Its economic predominance notwithstanding, this function was given a traditional name, *akhī bābā*, but in reality this office carried no moral or religious weight. In daily life he would intervene in intra-guild conflicts, check the actual behavior of heads whose performance was faulty—in short, he supervised the entire system.

The document we have just cited is important in another respect: it shows how a person who had actually been a member of one guild (spice-dealers) could pass for an expert in a very different field (silversmithing) until his exposure by the authorities forced him to return to his original calling (see above, p. 101). How far should these two contradictory examples be taken as indicative of the norms underlying the entire guild system: was it organized as a fully compartmentalized apparatus, or were the lines separating the different guilds rather blurred? To cite another example (see above, p. 115): when a person who had served as the head of the sword-makers in 1611 becomes a silversmith two years later, should this be taken as an indication of an easy transition and professional mobility among different guilds?

In Ottoman Jerusalem this was hardly a theoretical problem: when the butchers tried to have members of another guild share the payment of certain impositions levied by the governor, the kadi responded by stating firmly that although the two fields were close, the slaughtering constituted a separate guild, and hence were not to shoulder any of the butchers’ liabilities (see above, pp. 20-21). This rule of thumb was stated time and again by the various kadis of Jerusalem, who objected to any attempt by members of a given guild to encroach on the exclusivity of any other (see e.g., pp. 128, 162-3 above). Some such instances were brought to the court’s attention by individuals

who naturally sought to increase their income beyond that accruing from their regular guild (e.g. a goat-hair weaver doubling as a green-grocer). There were more problematic cases when economic changes brought about increased professional activity of an entire, functionally “neighboring” guild, leading it to encroach on another’s traditional territory in order to acquire a larger share of the market, or to improve its commercial conditions by dealing personally with each member of the other guild. This could have meant that during the mid-17th century tanners tried to buy their raw material directly from individual butchers (rather than act through the guild’s head), or even that tanners who were not guild members tried to set up shop together with individual butchers, thus circumventing the accepted pattern of conducting business only through the guild network. About 50 years later, those dealing in cotton enjoyed an economic boom (as a result of the French merchants’ growing demand to supply their own market) and increasingly purchased spun cotton from the peasants rather than through the traditional channel of the weavers’ guild. Both of these instances indicate a healthy development in the local economy resulting, to a large extent, from a growing international demand,¹⁵ but causing certain strains within the guild system. In these cases the kadi always intervened in support of the existing arrangements, and should be seen as attempting to safeguard the system’s old structure against any concentrated attempt to undermine it.

We should now consider a court case recorded about 50 years later, in 1754, and then a related one recorded the following year.¹⁶ A petition signed by many guild members from Jerusalem had been sent to the Sublime Porte, requesting the rectification of a long-standing lacuna. The general pattern throughout the Ottoman Empire was that the urban guild structure was headed by a member who was appointed as “head of the guild[s] and *akhī bābā*”.¹⁷ If any guild member committed a crime, he was brought to justice by this supervisory head together with the head of his own guild, then tried

¹⁵ On the general trend of economic development in 18th-century Palestine relative to the cotton trade see my *Palestine in the 18th Century*, pp. 11-19 and *passim*. On similar and related developments in other Syrian towns see ‘Imad, *al-sulṭa*, pp. 266, 274.

¹⁶ JS, vol. 238, p. 46; vol. 239, p. 20.

¹⁷ The exact term is rendered in a somewhat faulty manner: its second half, *akhī bābā*, is copied precisely, while its first part lacks the diacritical dots, hence it could be read: *shaykhī sayf* or *shaykhī sab’a*, which was a scribe’s error, or, as we suggest, should be read *shaykhī sinf*, instead of the orthographically precise *ṣinf*.

by the kadi and punished. However, since in Jerusalem this position had been left vacant for some time prior to the dispatch of the petition, a “total lack of order” prevailed. As a result many guild members added another occupation to their original one, thereby illicitly encroaching on the rights of other guilds. To put an end to this unsatisfactory state of affairs, they requested that an official document of appointment be issued in Istanbul to a certain *sayyid* ‘Abd Allah b. ‘Abd al-Latif, whose candidacy they all supported. No indication is provided as to his professional affiliation, but this distinguished personage had served before as the head of the descendants of the Prophet (*qā’immaqām naqīb al-ashrāf*) of Jerusalem. Although he asked to continue in this capacity concurrently, claiming incorrectly that “most of the professionals were descendants of the Prophet”, he was relieved by his superior in Istanbul and appointed as per the initial request of the petitioners. On March 9, 1754, this was all formally concluded in Istanbul, then reported to the Sublime Porte, the relevant documents being sent to Jerusalem. This was done, states our register, in order to put an end to the interference of members of one guild in the affairs of another—a cause for general disruption (*ikhālāl*) of the proper order of the economy of Jerusalem as well as elsewhere.¹⁸ The main objectives to be attained by this newly instituted functionary are somewhat more specifically described: “inspection [of their deeds], inquiry [into their ongoing activities], appointment [of heads of guilds and other functionaries], employment [of guild members], adjustment of all their affairs and their [guild] system as well as their [overall] organization”.¹⁹

The instances just described—“demarcation disputes”, in Braudel’s terminology²⁰—provide us with a satisfactory answer to the question of whether the guild system of Jerusalem was rigidly compartmentalized or not. The answer that emerges is quite clear: no one was supposed to cross the lines under any pretext, and the system was careful—as far as it could be—to implement these rigid regulations through the existing mechanism of the overall head of the guilds, also called *akhī bābā*, and the kadi. However, modifications, followed by growing changes, occurred as the 18th century unfolded: the intensifying economic relations between Europe and the main

¹⁸ See: A. Raymond, *The Great Arab Cities in the 16th-18th Centuries* (New York and London, 1984), pp. 16-19.

¹⁹ JS, vol. 239, p. 20, dated January 30, 1755.

²⁰ Braudel, *Civilization*, vol. 2, p. 315.

ports of the Syro-Palestinian coast further stimulated Jerusalem's economy, which in the second half of the preceding century had seen increased guild activity. Certain guilds found themselves exposed to a growing demand for their products; hence they sought to enlarge their supply of raw materials (either for further production, as did the tanners' guild, or the increasingly attractive guild of sesame-oil extractors, or for more active local and international trade—like the spice-dealers or the cotton merchants). This meant, among other things, that members of some guilds were willing to cross the lines established by the existing regulations and indulge in activities that were actually forbidden. The problems described in the various *sijills* of the 18th century concerning the *akhī bābā's* position should therefore be seen in the wider context of a deteriorating institution. True, the available documents tell of specific cases when these problems were redressed, but they also manifest an accumulation of pressures that must have meant an ongoing process of erosion of the *akhī bābā*, very likely along with other institutions and, no doubt, affecting the entire guild system (see, e.g., the spice-dealers' guild, pp. 163-4 above). It should, however, be borne in mind that all these difficulties notwithstanding, the system as a whole remained operative into the first decades of the 19th century, perhaps even until the twilight years of the empire.

The economic logic underlying an administrative structure

So what were the guilds all about and what was the logic underlying their very existence? On the face of it, this was an *administrative* arrangement that aimed at reinforcing the government's grip on the urban population. In name as well as in substance, there were in Jerusalem a variety of "top" people (referred to as *shaykh*, i.e. "elder", rendered by us as "head") whom the government appointed. These were put in charge of different units created according to different criteria: their living quarters (*shaykh hāra*, head of a neighborhood), their religious or tribal affiliation (*shaykh tā'ifa*), or that of their profession (*shaykh tā'ifa*). Just as with the other categories, there was no hierarchy among the many professional groups; they were all subject to the same conceptual norms and traditional arrangements. In a few cases, most conspicuously in that of the bathhouse janitors and the barbers, though fulfilling different functions, all were members of one guild; the norm, however, was such that each guild was made up of one profession only, and thus constituted an entity

unto itself.²¹ The terminology used with respect to all guilds was primarily *economic*. Within each of them as well, this economic vocabulary also applied to the tripartite context of their relations with the administration, with the surrounding local population and with their peers.

Viewed from the first perspective, this was an instrument that facilitated control: in the 16th century guilds were told to concentrate their activities in one location (e.g. the silversmiths), and at times coercive means had to be used to bring this about. In the following centuries this became a normative pattern; there were no further references to attempts of guild members to evade the geographic control mechanism, but there were occasional references (see above, p. 15) to an overall assumption that sales should be limited to specific locations. Even in the few cases where an element of external workforce was employed (e.g. the “spinning women”, who definitely worked from home, either in Jerusalem or in the neighboring villages), we cannot (in view of the scant information available) speak of a leasing out of the work, as was the case in Western Europe.²² However, towards the late 18th century instructions were issued to close grain depots that functioned outside of their assigned location, probably as the result of a growing demand; similar logic was employed when the authorities tried to stop the unauthorized sale of fruit and vegetables outside of their allocated market (see above, pp. 36, 159). An agreed-upon location made all these shops convenient for inspection, although the main vehicle for inspection was not places but people: the heads of the different guilds. When, for example, the local governor needed supplies for himself and his retinue, the head of the relevant guild was held responsible for this. Or, considering another common practice, whenever prices were set and announced by the kadi or the market inspector, it was the guild’s head who was held responsible for imposing them.

Seen from the second perspective, which considered the guilds as self-assigned suppliers of goods and services to the local population, the same logic prevailed. When the local governor became deeply involved in the reallocation of the pools used by the tanners (see

²¹ A similar symbiotic relationship among quite a number of guilds, not only these two, was identified by Rafiq in Damascus and Aleppo where the smaller guild was regarded as an “assistant” (*yamaq*) to the larger one, particularly in sharing some of its tax burden (Rafiq, *Buḥūth*, pp. 170-172).

²² Landes, *op. cit.*, p. 43 (“putting-out cottage”).

above, pp. 87-9), he did so with the general interest of the public in mind. By the same token, when bakers or butchers were urged to provide the townspeople with their products daily ("from sunrise to sunset"), the jargon resorted to was economic (indicating official interest in price control), but this was just a vehicle to attain what really underlay all these instructions and the inspection mechanism as well, thereby ensuring the welfare of the entire local population.

The same held true for the third perspective—that of the relations prevailing within each guild. Price setting for the finished products and determining standards of workmanship were the province of the guild's head, as were the purchase of raw material and the distribution of orders among members. The overall guiding principle was "equality", a term recurring very often in our sources. However, as we have pointed out above, in practical terms the yardstick that was actually used by the head in the distribution of both assets and liabilities was an economic one—the rank and capacity of each member, i.e. a non-egalitarian principle (see, e.g., p. 165 above). This is what David Landes recently summed up as "an egalitarian social justice" that was 'laudable but static', and in the light of our data it was rather 'laudable and not so static'. This difference of interpretation notwithstanding, we tend to agree with Landes who, quite expectedly, concludes that the underlying rationale of all guild systems was purely economic.²³ The same logic prevailed throughout our documentation, although not exclusively so. When, for example, it emerged that a guild member was suffering from leprosy, it was the guild's head who reported it to the kadi who in turn initiated a medical examination. Once he had confirmed the facts, he had the relevant shop closed and the patient referred for proper medical care (see above, p. 166). Public health and professional order were thus preserved by the kadi at the recommendation of the head of the guild, who otherwise seems to have lacked sufficient disciplinary sanctions. One may therefore sum up this dimension of actual guild life as being a manifestation and permanent guardian of basic economic concerns (such as prices), public order, and social justice.

The mechanism of price setting described in these pages (see note 46, p. 32 above) throws more light on the purely economic side of the guild's performance. Calculating the rate of profit that the bakers could earn for their routine activity of baking bread (after subtract-

²³ *Ibid.*, pp. 242-3.

ing all their production expenses), we reach a margin of 20%-25%. This tallies, more or less, with the 20% profit the kadi (who as part of his routine set the price of both flour and bread) permitted the bakers (and others) to gain. One may ask whether this entire mechanism of setting and inspecting the prices of goods was not only technically and administratively proper, but also implied a more general policy that aimed to encourage guild activities as a whole. Bearing in mind that the rate of profit the kadis allowed for money lending was 10%-15% at most,²⁴ and knowing that lending and borrowing activity was quite routine in Jerusalem, there is one inevitable conclusion: the policy set by the government, or to be precise the policy that was carried out in Ottoman Jerusalem, encouraged investment in productive guild activity rather than the alternative of increasing one's available liquid assets through moneylending. Those who preferred the more secure route of passive investment through giving loans, regularly conducted their financial affairs according to the going rates of interest. However, the involvement in the production line through investment of funds – although a somewhat riskier operation—offered a likelihood of higher returns. It all sounds quite modern; indeed, the very same logic applied to the world of Ottoman Jerusalem and prevailed in many lines of professional activity within the guild system (most conspicuously in the field of soap making, which was very popular among merchants and other businesspeople).

As we approach the end of our journey through the Jerusalem guilds, we may return to the question about the nature of the guild system that was posed at the outset of this work: was this a governmental instrument or a voluntary, autonomous grouping of professionals?

On the one hand, the guilds were regarded as an extension of the government. They were conceived as facilitating the collection of certain taxes and as providing the local society with a variety of services to avoid a situation wherein their very existence might bring

²⁴ In conformity with the Shari'a and the Qanun (see, e.g., U. Heyd, *Studies in Old Criminal Law*, Oxford, 1973, p. 122, note 3). For interest of 10%-15% on loans in 19th-century Syria and Palestine see: E. L. Rogan, "Moneylending and Capital Flows from Nablus, Damascus and Jerusalem to *qaḏā'* al-Salt in the Last Decades of Ottoman Rule" in T. Philipp (ed.), *The Syrian Land in the 18th and 19th Century* (Stuttgart, 1992), pp. 240-1. For Aleppo: A. Marcus, *The Middle East on the Eve of Modernity* (New York, 1989), p. 184. For Bursa: Faroqhi, *Bursa*, p. 104.

about an uncontrolled price rise whenever demand rose or supply declined. Functions such as that of the supervisor of the markets (*muhtasib*), or the chief measurer (*kayyāl bāshī*), were created in order to serve as executive extensions of the powers entrusted in the kadi, as well as to oversee the regular activities of all the guilds. Those who served in these capacities were regarded as part of the administration and were duly compensated (see above, p. 37).

On the other hand, within the guild system one may clearly identify important elements of autonomy that bordered on independence. In many cases we found members of the same family belonging to the same guild over an extended period of time (see, e.g., pp. 24, 125 above). There was mobility from guild to guild, but whenever we could pinpoint it, we found it had its source in related professions (e.g. pp. 25, 115 above). Since the guild structure controlled the supply of raw material and, undoubtedly, professional secrets of production, it must have been hard for uninitiated individuals to practice a duplicate profession in town. However, when newcomers proved persevering enough (and capable of undercutting the existing price system by setting a lower price for their own merchandise), they were taken on and could enjoy both the status and the liabilities that guild membership involved (see p. 49 above). This was not a hermetically sealed system from the individual practitioner's perspective, or from the perspective of more general winds of change. We have seen that in certain cases activity increased (e.g. the cotton dealers, or the dyers—pp. 120, 131 above), and in other cases new guilds were created (pp. 137-8 above) by processes that could easily be linked to the impact of the West during the 18th century, with the introduction of new types of clothing and new production techniques.

To return to the voluntary nature of the guilds, it should be reiterated that they were never regarded as part of the administration. True, in a world where the central government was far away and municipal bodies were nonexistent, they filled this void and fulfilled a long list of functions for the urban population. However, none of their members received a salary or was granted a lease, and very seldom was Istanbul involved in the appointment of a guild head. Second, when complaints were levelled against a guild that malfunctioned, there was no reference to damage it might cause either to the system or the administration; the reference was rather to damage that might be sustained by the local population. Third, even in

cases when a guild threatened that it might cease functioning altogether and its members would leave town, no reproach was recorded, although occasionally such a threat was reason enough for the kadi or the governor to accede to guild members' demands (e.g. p. 45 above). Last but not least, there was no price-setting mechanism dictated from Istanbul or from Damascus, the provincial capital. Technically, all prices were announced by the kadi and his subordinates, that is locally. As for the local judge, his main source of information, on which he regularly drew, was the guild members themselves.

The inevitable conclusion one reaches is that by nature the guild system was a combination of elements reflecting two contradictory concepts. The guilds were actually a mirror of the prevalent situation wherein government considerations and those of the local society were both involved. Each guild adamantly defended its particular interests against any encroachment by others, but concurrently they were all subject to the central administration—above all through the local kadi. True, the latter was an external element in town, but he was no less the custodian of the public's interests. Located as the guilds were between the omnipotence of the administration and the total subordination of the population, they may best be regarded as a phenomenon similar to, or a precursor of, civil society as the modern world has come to know it.

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PART TWO
DOCUMENTS

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DOCUMENT I:

Sijill of Jerusalem, volume 72, p. 61

صلى الله عليه وسلم
عوضاً عن أحسنه محمد بن محمد
اليوم وما بعد ذلك يصحون فافضل من العترة في القدر
من المسلمين ونصير الشرف من الزمان سابقاً كما شفا على ذلك ما روي
صلى الله عليه وسلم في يومنا هذا في ذكره فافضل من العترة في القدر
اليوم وما بعد ذلك يصحون فافضل من العترة في القدر
من المسلمين ونصير الشرف من الزمان سابقاً كما شفا على ذلك ما روي

[1] نصب مولانا محي الدين افندي زيد فضله صلاح الدين بن درويش
 القهوتي شيخا علي طايفة القهوتية بالقدس الشريف [2] عوضا عن اخيه
 محمد بحكم فراغه له وبطلب موسى واسماعيل وخليل وعلي القهوتية نصبا
 مرعيا ونبه عليهم انهم من [3] اليوم وما بعده لا يضعون ما فضل من
 القهوة في القدور سوا [ء] كانت تنوه ام لا تنبيها مرعيا بطلب جم غفير
 [4] من المسلمين ونصب الشريف موسي الترجمان سابقا كاشفا علي ذلك
 بتاريخه [٧ شهر جمادى ٢ سنة ٩٩٨]

[1] Our master [the kadi] Muhi al-Din Efendi—may his grace increase—appointed Salah al-Din b. Darwish the coffee-maker head of the guild¹ of coffee-makers in Jerusalem the Exalted. [This was] an honorable [and appropriate] appointment [2] in place of his brother Muhammad who had ceded it to him, and was also based on the request of the coffee-makers Musa, Isma‘il, Khalil and ‘Ali. He warned them that from [3] that day on they should not keep the leftover coffee in the cooking pots indiscriminately whether the coffee was in good condition² or not. [This was implemented] upon the request of an assembly of [4] Muslim customers. He [the kadi] appointed on the date of [this document] the descendant of the Prophet, Musa the former [court] interpreter, as inspector for this matter. [7 in the month of Jumada II, the year 998.]³

¹ Lit.: *tāifa*.

² Lit.: “praiseworthy”.

³ April 13, 1590.

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[1] حضر لدى مولانا الحاكم الشرعي المعلم بدر الدين المحتسب بالقدس الشريف وبكى وشكى وتضرر من الخبازين بالقدس الشريف وانهم قفلوا افرانهم وان الخبز لا يوجد [2] بالسوق وان في ذلك ضرر على الفقراء [ء] والمسلمين وطلب من مولانا الحاكم الشرعي احضارهم الى المجلس الشرعي وسوالهم عن ذلك فاحضر الى المجلس الشرعي كل واحد من الخبازين [3] المعلم محمد العريف الحاج خليل بن طعمه عبد الله بن الحاج علي سمري بن بصيلة الحاج خليل بن شيحة الحاج عمر بن عباس وعبد الرحمن بن عبد الرحمن ابي الخير بن يحيى علا الدين بن عبد الرزاق [4] صالح بن حماد ثم ذكر المعلم بدر الدين المزبور ان الخبازين المزبورين اعلاه اشتغلوا في يوم تاريخه نصف العمل المعتاد فسيلوا عن ذلك فلم يبدوا جوابا ثم عرف مولانا [5] الحاكم الشرعي المشار اليه خلد الله النعم عليه انه يترتب على عدم تمام شغلهم للخبز امور منها ان ذلك بغير اذن الحاكم الشرعي وانه يلزم من ذلك خلل في مدينة القدس الشريف وتعطيل [6] الجلاب ويترتب على ذلك قطع الاقوات عامدا وضرر عام للفقراء [ء] والمساكين وتضرر المسلمين من ذلك وتضييق اقوات المسلمين ثم حضر شيخ الاسلام عمدة العلماء الاعلام مولانا [7] الشيخ عبد الغفار مفتي السادة الحنفية وشيخ الاسلام قدوة العلماء الاعلام مولانا الشيخ عمر مفتي السادة الشافعية وتشفعا عند مولانا الحاكم الشرعي بانه ينبه على الخبازين [8] المزبورين وان يعفو عنهم فقبل ذلك منهما ثم تضامنوا وتكافلوا الخبازين المزبورين اعلاه ان يخبزوا الخبز في كل يوم من طلوع الفجر الى غروب الشمس باذن كل منهم للاخر [9] وكفلهم في ذلك شيخ الخبازين محمد وعلى ما هو الواقع سطر في سابع عشري صفر الخير لسنة ١٠٥٢ وذلك بحضور بدر الدين المزبور ثم تعهدوا الجماعة المزبورين اعلاه بان كل من [10] تعطل شغل يوم او نصف شغل يوم وقفل دكانه يخبرون بذلك الحاكم الشرعي ليودبه بما يليق من انواع التاديب تعهدا مرعيا

[1] The *muhtasib* of Jerusalem the Exalted, *al-mu'allim* Badr al-Din, came before our master the Shar'ī judge, weeping and complaining of the bakers in Jerusalem the Exalted. [He complained that] they had shut down their bakeries and [consequently] no bread was available [2] in the market. This harmed the poor and [more generally] the Muslims. He asked our master the Shar'ī judge to have them brought to the court and questioned about this. The following bakers were thus brought to the court: [3] *al-mu'allim* Muhammad the expert (*arīf*), *al-hajj* Khalil b. Tu'ma, 'Abd-Allah b. *al-hajj* 'Ali, Sumri b. Busayla, *al-hajj* Khalil b. Shayha, *al-hajj* 'Umar b. 'Abbas, 'Abd al-Rahman b. 'Abd al-Rahman, Abu'l-Khayr b. Yahya, 'Ala al-Din b. 'Abd al-Razzaq, [4] Salih b. Hammad. Then the said expert (*mu'allim*) Badr al-Din pointed out that the above-mentioned bakers produced¹ on the day of its [i.e. this document's] date half of the[ir] usual workload. They were asked about this and could not provide a [satisfactory] answer.

Then our master [5] the aforementioned Shar'ī judge—may God perpetuate his blessings on him—remarked that several things are associated with their incomplete work, for example, its occurrence without the permission of the Shar'ī judge, as well as the disorder that resulted in the town of Jerusalem the Exalted and the interruption [6] of the import of provisions [into town] which will inevitably cause a deliberate stoppage of food and general harm to the poor and destitute, complaints from the public² and the reduction of food supply to the public. Then came *shaykh al-Islam*, the pillar of the distinguished scholars, our master [7] *al-shaykh* 'Abd al-Ghaffar the Hanafi Mufti [of Jerusalem], and *shaykh al-Islam*, the paragon of the distinguished scholars our master *al-shaykh* 'Umar, the Shafi'ī Mufti [of Jerusalem] and they both pleaded with the Shar'ī judge to warn the said bakers [8] and pardon them, and he agreed. Then the aforementioned bakers expressed their mutual responsibility and mutual liability in the daily baking of bread from sunrise to sunset by way of mutually authorizing one another. [9] Muhammad, the head of the bakers, bailed them out on this matter. This was recorded according to the way it occurred on the 27th of the month of Safar in

¹ Lit.: "worked".

² Lit.: "the Muslim [inhabitant]s".

the year 1052³, in the presence of the said Badr al-Din. Then the aforementioned individuals formally pledged that whoever [10] failed to perform his work either for a full day or a half-day and closed his shop, would be reported by them to the Shar'ī judge so that he could reprimand him with the kind of reprimand he deserved.

³ May 27, 1642.

[1] سبب تحرير الحروف هو انه بالمجلس الشرعي المحرر المرعي اجله الله تعالى حضر بين يدي مولانا وسيدنا قدوة قضاة الاسلام ذخر ولاة الانام محرر القضايا والاحكام [2] بالاحكام الحاكم الشرعي المولى مصطفى افندي الموقع خطه الكريم اعلا نظيره دام علاه كل واحد من عمر بن محمود شيخ القطانين بالقدس الشريف والحاج صالح [3] ابن ابي الحرم واخيه طه ويوسف والسيد يوسف وشاهين الخليلي وفخر الدين المرستق ومحمد الصارم وعبد الرحمن الستوري ومحمد بن زكريا وابراهيم [4] المصري ومحمد النابلسي وعبد الرحمن المقرقر وشحادة المرستق وعلي شقيرة وفخر الدين المرستق والسيد احمد بن ابي الجود والسيد عطا الرحمن النوري [5] الجميع من طائفة القطانين بالقدس الشريف ورفعوا قصة شكواهم لمولانا الحاكم الشرعي المشار اليه اثم كانوا سابقا على تاريخه ادناه بيدلون غزل القطن [6] بقطن واثم يبيعون الغزل لمن يشتريه منهم من المسلمين وان مشتريه منهم ينقل ذلك الى بلاد الشام وغيرها من بلاد السلام ويبيعه لاهل [7] الصناعات الذين يشتغلونه في صنعهم كالبغدادى والحيام وان طائفة الحاكاة بالقدس الشريف قد منعوهم من ذلك وضيقوا عليهم وقد حصل [8] لهم بذلك ضرر كلي ولمن يغزل القطن من النساء وتعطل بذلك امرهم ومعاشهم وطلبوا من مولانا الحاكم الشرعي المشار اليه النظر في قضيتهم ورفع هذه [9] المضرة عنهم فعند ذلك عرفهم مولانا الحاكم الشرعي المشار اليه ان طائفة الحاكاة بالقدس الشريف كانوا حضروا لديه ورفعوا قصة شكواهم اليه بان غزل [10] القطن الذي يتعاطونه لصنعتهن قد قل وغلا سعره لانه ينقل من القدس الشريف بالاحمال الى مدينة صيدا ويبيع لطائفة الفرنج الحربية وانه منع بيع [11] ذلك لطائفة الفرنج الحربية فقط تعريفا شرعيا واذن مولانا الحاكم الشرعي المشار اليه لطائفة القطانين المزبورين ان يبيعوا غزل القطن الذي لا [12] يستعمله طائفة الحاكاة في صنعتهن لمن شاءوا وان من اشتراه منهم ينقله الى دمشق الشام وغيرها من بلاد الاسلام على العادة القديمة في ذلك [13] اذنا مقبولا شرعا تحريرا في ختام جمادى الثانية لسنة اربع وستين والف

[1] The reason for the recording of these words is that in the court which is consecrated to God and honored [by the Believers]—may the Almighty God exalt it—there appeared before our master the paragon of the kadis of Islam, the treasure of the custodians of mankind, the astute writer of court cases and verdicts [2], the Shar‘i judge *al-mawla* Mustafa Efendi, whose noble handwriting is signed on the upper part of its [i.e. this document’s] identical copy—may his high rank remain eternally—[there appeared] the following individuals: ‘Umar b. Mahmud, the head of the guild of the cotton merchants in Jerusalem the Exalted, *al-hajj* Salih [3] b. Abu’l-Haram and his brother Taha, Yusuf, *al-sayyid* Yusuf, Shahin al-Khalili¹, Fakhr al-Din al-Murastaq, Muhammad al-Sarim, ‘Abd al-Rahman al-Saturi, Muhammad b. Zakariyya, Ibrahim [4] al-Misri², Muhammad al-Nabulsi³, ‘Abd al-Rahman al-Muqarqar, Shihada al-Murastaq, ‘Ali Shuqayra, Fakhr al-Din al-Murastaq, *al-sayyid* Ahmad b. Abu’l-Jawd, *al-sayyid* ‘Ata al-Rahman al-Nuri [5]—all of them of the guild of cotton merchants in Jerusalem the Exalted. They presented the story of their complaint to our master the aforementioned Shar‘i judge:

Prior to the date [recorded] at the lower part [of this document] they used to exchange spun cotton [6] for raw cotton, and they would sell the spun cotton to any member of the public⁴ who would buy it from them. The buyer[s of this item] would transport it to the area of Damascus⁵ and other locales in the land[s] of Islam⁶. [T]he[y] would sell it to the people [7] of [the relevant] industries who used it in their professional work such as Baghdadi [cloth] or tents [production]. [They proceeded with their complaint] that the guild of weavers of Jerusalem the Exalted prevented them from doing this and [thus] harassed them. [8] As a result they incurred general damage, as well as the women who actually spun the raw cotton. Consequently their work and their livelihood were interrupted and they asked our master, the aforementioned Shar‘i judge, to look into their case and bring an end [9] to this damage they were suffering.

Thereupon our master the aforementioned Shar‘i judge legally informed them that the weavers’ guild of Jerusalem the Exalted had

¹ “The Hebronite”.

² “The Egyptian”.

³ “From Nabulus”.

⁴ Lit.: “from among the Muslims”.

⁵ This is a geographic term, referring generally to Syria.

⁶ A general reference to the Ottoman domains, literally rendered here “the land of Peace”, most probably scribe’s error, who copied “*salām*” instead of “*islām*”.

approached him and reported the story of their complaint to the effect that the weaving [10] of cotton which they practice for their living⁷ had diminished and its cost risen because the product was transported from Jerusalem the Exalted to the town of Sidon in bulk⁸ where it was sold to the community of the European Christians⁹ and that he prohibited its sale [11] to the community of the European Christians only. Our master the aforementioned Shar‘i judge authorized the said weavers’ guild to sell the spun cotton that [12] the weavers’ guild would not use in their profession to whomever they chose and that whoever bought it from them could transport it to Damascus and other locales in the domain of Islam according to the well-established practice in this matter. [13] [This] authorization was legally accepted [by the other party]. Recorded on the last day of the month of Jumada’l-Thaniya in the year 1064¹⁰.

⁷ Lit.: “for their profession”.

⁸ Lit.: “in loads”.

⁹ Lit.: “of the Frankish foreign infidels (*harbi*)”.

¹⁰ May 17, 1654.

[1] سبب تحرير الحروف هو انه بالمجلس الشرعي المحرر المرعي اجله الله تعالى حضر لدى مولانا وسيدنا قدوة قضاة الاسلام ذخر ولاة الانام عمدة العلماء [ء] الاعلام الحاكم [2] الشرعي المولى يوسف افندي الموقع خطه الكريم باعالي نظيره دامت فضائله ومعاليه الرجل المدعو الحاج ابراهيم بن احمد المراكبي شيخ القضاة بالقدس الشريف [3] واحضر معه كل واحد من علي ودرويش ولدي عجافة وعمر بن ميران البطريق ورمضان بن داود بن ابا يزيد وهم من جماعة السلاطين بالقدس الشريف [4] وطلب من مولانا الحاكم الشرعي ان ينبه على الجماعة المزبورين بانهم لا يتعاطون بيع اللحم وانما يتعاطون الذبح وسلاحة الغنم على عادتهم [5] السابقة فنبه عليهم بذلك تنبيها شرعيا ثم حضر الحاج فخر الدين البطريق والحاج العلي بن رمضان بن هرام ومحمد بن اسماعيل والمعلم حسين المراكبي والياس [6] ولد فرح والمعلم حجيج بن حجيج وولده علي والحاج ابراهيم الباقي وداود بن عون وحبيب بن اسمعيل الجميع من القضاة بالقدس الشريف وتعهدوا جميعا بانهم [7] يتعاطون بيع اللحم ويكفون اهالي القدس الشريف ويبيعون اللحم اول النهار الى اخره تعهدا مرعيا وعلى ما هو الواقع سطر وجرى ذلك وحرر [8] بتاريخ سابع عشري شعبان المبارك من شهور سنة خمس وسبعين والف

[1] The reason for the recording of these words¹ is that at the session of the Shar‘i court which is consecrated to God and observed [by the entire community]—may God the Sublime make it revered—and before our master the paragon of the kadis of Islam [and] the treasure of the custodians of mankind, the bulwark of the eminent scholars [2] the Shar‘i judge, our *mawla* Yusuf Efendi whose noble handwriting appears² on the upper part of its identical copy [i.e. of this document]³—may his virtues and noble qualities remain forever—came the person called *al-ḥajj* Ibrahim b. Ahmad al-Marakibi, the head of the butchers’ guild in Jerusalem the Exalted. [3] He brought with him the following individuals: ‘Ali and Darwish the sons of ‘Ajjafa, ‘Umar b. Miran al-Batriq, Ramadan b. Da’ud b. Abu⁴ Yazid, all of whom are among the slaughterers⁵ of Jerusalem the Exalted. [4] He asked our master, the Shar‘i judge, to warn the above individuals that they should not engage in the sale of meat but rather engage [only] in the slaughtering and the skinning of sheep according to their previous practice. [5] He legally warned them accordingly.

Then came [the following individuals]: *al-ḥajj* Fakhr al-Din al-Batriq, *al-ḥajj* ‘Ulayni, Ramadan b. Haram, Muhammad b. Isma‘il, *al-mu‘allim* Husayn al-Marakibi, Ilyas [6] b. Farah⁶, *al-mu‘allim* Hujayj b. Hujayj, his son ‘Ali, *al-ḥajj* Ibrahim al-Baqi, Da’ud b. ‘Awn and Habib b. Isma‘il—all of them butchers in Jerusalem the Exalted. They all pledged that [7] they would engage in the sale of meat and would fully supply the inhabitants of Jerusalem the Exalted and sell meat from the beginning of the day to its end. According to what actually occurred it was recorded and written [8] on the 27th of the month of Sha‘ban in the year 1075⁷.

¹ Lit.: “letters”.

² Lit.: “is signed”.

³ The draft of the official document was copied into the court’s register, whereas the “clean copy” of the actual document issued by the kadi was delivered to the party concerned.

⁴ Scribe’s error: “*abā*” should have been “*abī*”. There are occasional grammatical errors committed by the scribe which we left intact in our Arabic text.

⁵ The regular term for a butcher is “*qaṣṣāb*” as encountered above. The term used here “*sallākh*” quite often refers also to regular butchers, although its exact meaning is slaughterers, or unaccomplished butchers, deriving from the verb that means “he who skins the [slaughtered] animal” or “he who works in a slaughterhouse” (*maslakh*). For further details see also my *Economic Life in Ottoman Jerusalem* (Cambridge, 1989), p. 19.

⁶ This one was Christian, as indicated by the use of the term “*wuld*” instead of the regular “*ibn*” used for Moslems.

⁷ March 15, 1665.

DOCUMENT V:

Sijill of Jerusalem, volume 220, p. 7-8

حضرتهم باربعه اده في مجمل الشري الشريف ومجلد ادين المسف بل ذامس من الكس المشايخ باصغر كرام الدين
والسيد محمد الحاج حنونة والحاج عوض بن سراج علي وكراج موسى الخرنج والهاج علي الرومي الشهد باي شيسا
وشاهي كسكيا وارهيم بن عبد النبي ناظر حمام الشقان سراج احمد بن الدرزي يحيى وجمال القضاي وغازي
كوز من مائة ليز بن زيل والشيخ علي السعدني حزين النفاحي ومحمد بن كراج معظف ويعقوب ومعترف وعلي بن الحسن علي
والسيد علي بن داود وصالح بن زيار ومحمد بن زيار واخوه شحانة وروضه وعوض بن زيل وعبد الرحمن الزمعي الزمعي
وامحمد بن جبرئيل وعبد الرحمن الخوي ووصالح بن شمس بن موم حبيبا صانحة حمام الشقان والعي بن سلطان وجمال بن موم
وقام الطرايط الطائفة بالقد من الشرف وبصيصنا في حمام الشقان وجمال العين وجمال السلطان وجمال الدين موم
وقام الطرايط واحضر وامهم معانين الجمالين المنكرم وهم لاد واحد من اهل بيت الروهان بن السيد القادر
وقام اهل الشقان والعين وجمال الدين علي بن مكرم حاملي اللقاة ووالده الحاج علي الدرزي معلم حمام العسليم
وقام السيد الشريف بن محمد بن سراج محمد بن الغزالي معلم علم البطرية ودرتزر والصابغ والنواطين الكركوت
وقام السيد الشريف بن محمد بن سراج محمد بن الغزالي معلم علم البطرية ودرتزر والصابغ والنواطين الكركوت

التي يصفها الذي يقتلونه المسلمين واهل الذرية ويكفونهم لمرضاة فضل القوط والشراب وغير ذلك من الملائكة القادة
 مخلوق العادة والقاهرة وان ذلك امرنا لهم وبعياليهم وانهم لم يبق قتلهم في العلموا احدثت في اجرة الصانع ولا من
 امرق الخزيين والنواظر والفضل فوط ولا شر ما يذوقه القوط في الصانع ولا من القوط لانه الخزيين وان ذلك مدعة وان قانوم
 القديم وماهية القديمة شديدا طغور الحمام نرتما امرته للحمام الذي شغل به فيمرا الحفافة وماهية ذلك وليس لهم جميعا
 شتى فوجده من الرجوع وانه اخذ المخلصين من امرتهم غلوف الشرخ القديم وانهم قصروا الحال وروا وعمال ونصف ذنوبهم
 اختارهم ولسن وانهم فتوح في شدة عناب من ذلقة المساء والمعين القيام صدرها العلم والمجد في العلم
 المحقق الجبهة المدقق السبحة محمد افندي عفتا السادة الخفية بالديار المراكمة القديمة كلفهم بغير لهما الصحة القرم من موصولة
 خفية منيهم انزليل في اجرامهم كمنوز من دخل من الناس للاغتيال رجاء ان يحصل لهم شوق الدنيا التي بها يعلمهم
 وقيام فيهم بغير حرفة ذلك علي ما يلهم فيهم المجدوم ما على او كفي تطير فيهم ويربهم على الحمام اخذ نصف المدفوع
 لهم وازاجهم من الحمام المستور ولم يستبد في ذلك فارة من قديم الزمان فهل يجوز ذلك او ما يحتاج بعد الحرفة الزمنية لا يجوز له
 ذلك والحال كذلك والسبب من علمه وقلوبه على ما من الفتوى المذكورة فتوفي من ذنبا من ذناب بين العلماء المحمدين
 سندا الجارية المدقق العلم المحقق الناضل المدقق الشيخ محمد تقيي القلبي اني موصولة بها الحمد موصولة ما قد صدق العلم من
 المجدوم ملكه فليس للحمام طلب ما ملكه بعلمه قال ذلك وكنت محمد الخليل الثاني في جامعته مشكلا للحما وموصولة خفية للدارك
 فخرنا تارة تارة بوجه المصطفى المذكورين فلم يبدوا فيهم عيا وظهروا الصانع لولا انما الحال الشريفي انما الية بان الصانع والخبز
 والنظر المذكورين وغيرهم من صناعات وتجديدين ونظر للحمامي معانوه في ساير ايكال ايضا ماعدا الزيت الذي يغلب
 بالحمامات فانه على النواظر عارة قديمة فخره لا يمنع مولاها الحال الشريفي يعلمون الحمامات المذكورة من التعوض للصانع وغير
 والمخزبين المذكورين وقدمهم من الصانع والنواظر والمخزبين سبب احديهم من اجرتهم اربيب تكليفهم لفضل قوط الحمامات
 اولها صابون القوط والشراب في الزيت الذي على النواظر وسببه تكليفهم بها كونه ان ذلك لم يكن معادرا وما
 ومخالف الشر في العزم وياحتم بسببه الضمير العام حريه مولاها الحال الشريفي على معلمين الحمامات المذكورة بانهم لا يفرقون
 للخبثية والصانع والنواظر اخذت منهم ولا يطفون منهم لفضل قوط ولا شر صابون لها ولا يكلفونهم لاخذ اجرتهم
 قلت او كثر ولا لاخذ شتى من اجرتهم ماعدا القانوم القديم الذي على النواظر وهو شر الزيت للخبثية فقط ولا
 يخلطوه ليشه ومنع المعلمين من معارضة الصانع والمخزبين والنواظر بسبب ذلك بله عمدا باقتناع الشريفي سببا
 شريفا وازده الصانع والخبثية والنواظر المذكورين وغيرهم من حذنة الحمامات بان جميع ما يجعل لهم من الاجرة يتصفها
 ولا يذوقونها شيئا للمعلمين ولا يخلطوه شتى ماعدا الزيت الذي على النواظر اذ ناولنا صنعا كشر عينا

[1] حضر يوم تاريخه ادناه في مجلس الشرعي الشريف ومحفل الدين المنيف كل واحد من السيد صباح ناطور حمام العين [2] والسيد عمر والحاج حنون والحاج عوض بن الحاج علي والحاج موسى الخربتي والحاج علي الرملي الشهير بابي عمر [3] وشاهين كتكتينا وابراهيم بن عبد النبي ناطور حمام الشفا والحاج احمد بن الدرزي وكمال القضماني وعزمي [4] ورمضان بن عزرايل والشيخ علي الصفدي وحسن النعاجي ومحمد بن الحاج مصطفى ويعقوب ومعتوق وعلي بن الحسن علي [5] والسيد مصطفى بن داود وصالح بن زايد والحاج احمد بن طه واخوه شعبان ورمضان وعوض الزعل وعبد الرحمن الرملي [6] واحمد بن عبد النبي وعبد الرحمن المحروق وصالح بن شمس الدين وهم جميعا صناع حمام الشفا والعين السلطان وحمام السيد مريم [7] وحمام البطريق الكاينة بالقدس الشريف وبقية صناع حمام الشفا وحمام العين وحمام السلطان وحمام الست مريم [8] وحمام البطريق واحضروا معهم معلمين الحمامين المذكورة وهم كل واحد من السيد عبد الوهاب بن السيد عبد القادر [9] معلم حمامي الشفا والعين وعثمان بن الحاج علي معلم حمامي السلطان ووالده الحاج علي الدرزي معلم حمام السيد مريم [10] و... محمد بن عبد النبي الزياتي وشريكه الحاج احمد المغربي معلم حمام البطريق وذكروا الصناعات والنواطير المذكورون [11] ان ... الحكم الشرعي ان معلمين الحمامات المذكورة فوط الحمامات وياخذون من اجرة [12] ... التي يدفعوها لم الذين يغتسلو من المسلمين واهل الذمة ويكلفوهم لشرا صابون لغسل الفوط ولشرا زيت وغير ذلك من التكاليف الشاقة [13] بخلاف العادة والقانون وان ذلك اضر بهم وبعيالهم وانهم لم يسبق لمن قبلهم من المعلمين اخذ شي من اجرة الصناعات ولا من [14] اجرة المخدمين

[1] On the day whose date [is recorded] at the lower part [of this document], at the exalted Shar‘i court and the gathering place [of the tribunal] of the sublime religion, the following [individuals] attended: *al-sayyid* Sabah, the keeper¹ of al-‘Ayn bathhouse, [2] *al-sayyid* ‘Umar, *al-hajj* Hanun, *al-hajj* ‘Awad b. *al-hajj* ‘Ali, *al-hajj* Musa al-Kharbati, *al-hajj* ‘Ali al-Ramli alias Abu ‘Umar, [3] Shahin Katkatina, Ibrahim b. ‘Abd al-Nabi the keeper of al-Shifa bathhouse, *al-hajj* Ahmad b. al-Durzi, Kamal al-Qadamani, ‘Azmi [4] and Ramadan b. ‘Azra’il, shaykh ‘Ali al-Safadi, Hasan al-Ni‘aji, Muhammad b. *al-hajj* Mustafa, Ya‘qub, Ma‘tuq, ‘Ali b. al-Hasan ‘Ali, [5] *al-sayyid* Mustafa b. Da‘ud, Salih b. Zayid, *al-hajj* Ahmad b. Taha, his brother Sha‘ban, Ramadan and ‘Awad al-Zaghal, ‘Abd al-Rahman al-Ramli, [6] Ahmad b. ‘Abd al-Nabi, ‘Abd al-Rahman b. al-Mahruq, Salih b. Shams al-Din. All of them are laborers at the bathhouses of al-Shifa, al-‘Ayn, al-Sultan, al-Sayyid[a] Maryam [7] and al-Bitriq, located in Jerusalem, as well as [other individuals representing] the rest of the laborers of the al-Shifa bathhouse, al-‘Ayni bathhouse, al-Sultan bathhouse, al-Sitt bathhouse [8] and al-Bitriq bathhouse. They brought with them the experts² of the above bathhouses: *al-sayyid* ‘Abd-al-Wahhab b. *al-sayyid* ‘Abd al-Qadir [9] the expert of the two bathhouses of al-Shifa and al-‘Ayn, *al-sayyid* ‘Uthman b. *al-hajj* ‘Ali the expert of al-Sultan bathhouse, and his father *al-hajj* ‘Ali b. al-Durzi, the expert of al-Sayid[a] Maryam bathhouse [10] and Muhammad b. ‘Abd al-Nabi al-Zayyati and his partner *al-hajj* Ahmad al-Maghribi, the two experts of al-Bitriq bathhouse.

The above laborers and keepers pointed out [11] that there is a Shar‘i ruling to the effect that the experts of the above bathhouses [provide] bathhouse towels and [in return] charge a fee [12] that the Muslims and the Protected People who bathe [there] pay them. They charge them for the purchase of soap for the washing of towels as well as for the purchase of oil and other special taxes (*al-takālīf al-shāqqa*) [13] contrary to the customary practice and the formal rules and regulations (*al-‘āda wa’l-qānūn*). This [they went on to say] harmed them and their children, whereas no one among the previous experts had ever taken anything from the wages of the laborers, or from

¹ Lit.: *nāṭūr*.

² Lit.: *mu‘allimīn*.

والنواطير ولا غسل فوط ولا شرا صابون للفوط من الصناع ولا من النواطير
ولا من المخدمين وان ذلك بدعة وان قانونهم [15] القدم وعادتهم القديمة
يشترى ناظر الحمام زيتا من اجرتة للحمام الذي يشتغل به بقدر كفايته
وما عدا ذلك ليس عليهم جميعا [16] شي بوجه من الوجوه وان اخذ
المعلمين من اجرتهم بخلاف الشرع القويم وانهم فقرا الحال وذوو عيال ويضيق
ذرعهم بسبب [17] اخذ اجرتهم وبرزوا من ايديهم فتوى شريفة من جناب
زبدة السادات والمدرسين الفخام صدر العلما والمحدثين العظام العالم
[18] المحقق الجهبذ المدقق السيد محمد افندي مفتي السادة الحنفية بالديار
المباركة القدسية مكتوب بذيلهما اسمه الكريم ومختومة [19] بختمه مضمومها
انه سيل في اجرآ حمام يخدمون من دخل من الناس للاغتسال رجا ان يحصل لهم
شي من الدنيا التي بما معيشتهم [20] وقيام بنيتهم ليصرفون ذلك على عايلتهم
فيدفع لهم المخدمون ما قل او اكثر نظير خدمتهم ويريد معلم الحمام اخذ نصف
المدفوع [21] اليهم او اخراجهم من الحمام ان امتنعوا ولم تسبق بذلك عادة
من قديم الزمان فهل يجوز ذلك او لا فاجاب بعد الحمدلة الشريفة لا يجوز له
[22] ذلك والحال كذلك والله سبحانه اعلم ومكتوب على هامش الفتوى
المدكورة فتوى منيفة ايضا من جناب عين العلما والمحدثين [23] سند
الجهابذة المدققين العالم المحقق الفاضل المدقق الشيخ محمد افندي الخليل
الشافعي صورتها الحمد لله وحده ما قبضه الخدام من [24] المخدمون
ملكوه فليس لمعلم الحمام طلب ما ملكوه بعملهم قال ذلك وكتبه محمد
الخليلي الشافعي حامدا مصليا مسلما ومختومة بختمه المبارك [25] فقراتا
قراءة تامة بوجه المعلمين المذكورين فلم يبدوا دفعا شرعيا وظهر واتضح
لمولانا الحاكم الشرعي المشار اليه بان الصناع والمخدمين [26] والنواطير

[14] the wages of the attendants and keepers, for the washing of towels or for the purchase of soap for the towels [and never had anything been levied] from the laborers or from the keepers or from the attendants. This is an innovation (*bid'a*). Their old regulations [15] and old customary practice prescribe that the bathhouse keeper buys oil out of his fees for the bathhouse where he works according to his means, and other than this none of them are [16] in his debt for anything whatsoever. If the experts take anything from their wages contrary to the true Shari'a [it should be known] that they are poor and have small children and are unable to withstand [17] the denial of their levies. They presented an exalted legal opinion issued by the cream of the descendants of the Prophet and the eminent teachers, the leader of the religious scholars and the great Transmitters of the traditions of the Prophet, the research scholar [18] and meticulous investigator, *al-sayyid* Muhammad Efendi, the Mufti of the Hanefite scholars in the blessed Jerusalem area. On the lower part of both [*sic*] of them his distinguished name [is written] and his seal [19] is affixed.

Their content is [as follows]: “[A question] was asked about the employees of a bathhouse who serve any customer who enters to bathe in the hope that they may [thus] earn some income from the world in which they make their living [20] and erect their home,³ in order to spend it on their families. The customer pays them either a small or large sum in return for their services, and the expert of the bathhouse wants to take half of the sum [originally] paid [21] to themselves, or remove them from the bathhouse if they fail to oblige. There has been no such practice since olden days, hence the question is whether or not this is allowed. He answered—after praising God Almighty—that it is not allowed, [22] and this applies to the situation in question; and God—may He be praised—knows best”. On the margin of the aforementioned legal opinion it was written that there is also [another] exalted legal opinion issued by the primary scholars and Transmitters, [23] by the bulwark of all those who have a critical and inquiring mind, the distinguished wise scholar, shaykh Muhammad Efendi al-Khalili al-Shafi'i, stating the following: “May God alone be praised! What was taken by the attendant from [24] the customers is his property and the expert of the bathhouse has no claim to anything he gained for his work. This

³ Lit.: “building”.

المذكورين وغيرهم من صناع ومخدمين ونواطير الحمامين معافون من ساير التكاليف ما عدا الزيت الذي يشغل [27] باحمامات فانه على النواطير عادة قديمة فعند ذلك منع مولانا الحاكم الشرعي معلمين الحمامات المذكورة من التعرض للصناع والنواطير [28] والمخدمين المذكورين وغيرهم من الصناع والنواطير والمخدمين بسبب اخذ شي من اجرهم او بسبب تكليفهم لغسل فوط الحمامات [29] او لشرا صابون للقوط او لشرا زيت غير الزيت الذي على النواطير وبسبب تكاليف غيرها لكون ان ذلك لم يكن معتادا قديما [30] ومخالف للشرع القويم ويلحقهم بسببه الضرر العام ونبه مولانا الحاكم الشرعي على معلمين الحمامات المذكورة بانهم لا يتعرضون [31] للخدمة والصناع والنواطير باخذ شي منهم ولا يكلفونهم لغسل فوط ولا شرا صابون لهما [؟] ولا يكلفونهم لاخذ اجرهم [32] قلت او كثرت ولا لاخذ شي من اجرهم ما عدا القانون القديم الذي على النواطير وهو شرا الزيت للحمامات فقط ولا [33] يكلفون لغيره ومنع المعلمين من معارضة الصناع والخدمة والنواطير بسبب ذلك كله عملا بالفتواتين الشريفتين منعا [34] شرعيا واذن للصناع والخدمة والنواطير المذكورين وغيرهم من خدمة الحمامات بان جميع ما يحصل لهم من الاجرة يقبضوها [35] ولا يدفعون منها شيا للمعلمين ولا يكلفوه لشي ما عدا الزيت الذي على النواطير اذنا ومنعا شرعيا [ثاني عشر ربيع الاول سنة]

was stated and recorded by Muhammad al-Khalili al-Shafīʿī—praising God, praying to Him, resigning himself to His will—and sealed by his blessed seal”.

[25] I have read this attentively before the aforementioned scholars and they found no legal flaw, hence it transpired and was decreed by the above-mentioned judge that the aforementioned laborers and attendants [26] and keepers, and [all] the other laborers and attendants and keepers of the bathhouses are exempt from any other financial impositions except for the oil that is used [27] in the bathhouses, which is a traditional fee to which the keepers are liable.

Thereupon *mawlana* the judge legally prohibited the experts of the aforementioned bathhouses from divesting the above-mentioned laborers, keepers, [28] attendants and [all] the other laborers, keepers, and attendants by taking anything from their fees or by charging them for the washing of the bathhouse towels [29] or for the purchase of soap for the towels or the purchase of oil other than that incumbent upon the keepers, or due to [any other] charges. The reason is that [all] of this was not [based on] an old tradition [30]; it was contrary to the true Shariʿa, and as a result of it they suffered general harm. Our *mawla*, the judge of the Shariʿa, warned the experts of the above bathhouses that they should not divest [31] the attendants, the laborers and the keepers by way of taking anything from them, charging them for the washing of the towels or for the purchase of soap. [They should also] refrain from charging them for anything that might imply taking their fees [32], large or small, or taking part of their fees, except for the ancient rule (*qānūn*) which is incumbent upon the keepers to the effect of buying oil only for the bathhouses [33] and charging it to anyone else. [Moreover, he prohibited] the experts from divesting the laborers, the attendants and the keepers due to all this, acting upon the two exalted legal opinions. [34] He legally authorized the above laborers, attendants and keepers and all the other attendants of the bathhouses to keep everything they levy as fees, [35] and refrain from paying anything out of it to the experts or allotting anything to any [other] purpose, except for the purchase of oil which is the duty of the keepers [recorded on 12 Rabiʿ al-Awwal the year 1127]⁴.

⁴ March 18, 1715.

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DOCUMENT VI:

Sijill of Jerusalem, volume 221, p. 152

حصص يوم تاريخه في مجلس الشريفة من واحد في ابراهيم الخواص وعيسى الموني ووسى الموني وهم من العارفة
بالقدس الشريف بحضور الحاج احمد مولانا شيخ المعاصرين بالقدس الشريف ولعنه واياتهم لتقبلوا في معاصرو
وبيد والمدنية وكل من اراد ان يتعلم منهم في منقريه يا وتمام في فعاغتهم ومعارفهم من ايتنا السنة الى اخرها
لعتيد امرها ونه قولنا الحاكم الشريفي على الحاج عبيد الله كمال يا سني بانه لا يكتمال السهم في مقصود محمد الكافي
من المعاصرين وانده من باقى السهم فسترد على المعنا والقديم وهو عند معصم بلر عبد الكافي وكتاله هناك
على المعاصرين بالسنة عليهم وقيلوا ورضوا بجمع ذلك وتب عليه قولانا الحاكم الشريفي بجمع ذلك وبانه كل
لتعلم منهم تسبق من الله السنة الى اخرها في اربع عشر الحرم الحرم السنة تسع وثلاثين وقامه في

[1] حضر يوم تاريخه في مجلس الشرع الشريف كل واحد من ابراهيم الحواش وعيسى السلموني وموسى السلموني وهم من المعاصرين [2] بالقدس الشريف بحضور الحاج احمد قراة شيخ المعاصرة بالقدس الشريف وتعهدوا بانهم يستقبلوا في معاصرهم [3] ويسدوا المدينة وكل من اراد ان يستغل معهم في صنعتهم يساويهم في مغائهم ومغارهم من ابتدا السنة الى اخرها [4] تعهدا مرعيا ونبه مولانا الحاكم الشرعي على الحاج عبد الله كيال باشي بانه لا يكتال السمس في معصرة [5] من المعاصر وانه حين ياتي السمس فيتزله بمحلته المعتاد القديم وهو عند معصرة بن عبد الكافي ويكتاله هناك ويوزع [6] على المعاصرة بالسوية عليهم وقبلوا ورضوا بجميع ذلك ونبه عليهم مولانا الحاكم الشرعي بجميع ذلك وبانه كل من اراد ان [7] يستغل معهم فيستغل من الله السنة الى اخرها في رابع عشرين المحرم الحرام لسنة تسع وثلاثين ومائة والف

[1] On the day whose date is recorded at its [i.e. this document's] end, the following individuals came to the Shar'ī court: Ibrahim al-Hawwash, 'Isa al-Salamuni and Musa al-Salamuni who are among the extractors of sesame oil [2] in Jerusalem the Exalted. [They came] in the presence of *al-hajj* Ahmad Qara'a, the head of [the guild] of the extractors of sesame oil in Jerusalem the Exalted and pledged themselves to receive the proceeds [of the sesame] in their oil presses [3] and to provide the town [with sesame oil]. Whoever would wish to use it with them in their professional activity would have to share equally with them their profits as well as their liabilities from the beginning of the year to its end. [4] [This was a well] observed pledge. Our master, the Shar'ī judge warned *al-hajj* 'Abd Allah, the Chief Measurer (*kayyal bashi*)¹ that he should not measure sesame in any oil press [5] whatsoever, and when the sesame [consignments] arrive [in town] he should unload them at the old, traditional location, i.e. at the oil press of Ibn 'Abd al-Kafi. He should measure it there and distribute [6] [the incoming sesame] among the extractors of sesame oil in equal shares. They agreed and expressed their satisfaction. Our master, the Shar'ī judge admonished them of all this and [added] that whoever wanted [7] to benefit [from it] along with them may do so [only on an ongoing basis, i.e.] from the beginning² of the year to its end. [This was recorded] on the 24th of the Holy [month of] Muharram in the year 1139³.

¹ On the meaning of the term and its application to grains of different kinds arriving in bulk in town, see my *Economic Life in Ottoman Jerusalem* (Cambridge, 1989), pp. 105-107.

² Scribe's error: instead of the word "*allāh*" it should read "*awwaluhā*".

³ September 21, 1726.

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وان ذلك منوط بالمقارنه لو تغير اسمهم في ذلك بعد من اوجابنا وان السيد عبد الوهم هذا الذي ذكره في نفسه الذي يامل مولانا موسى
 الحاكم الرعي على ان الذي ذكره من الذي ياتي في وجوده في سيرة السيد عبد الوهم المرصوف في الدولة العلية وحديث المستحقين المرقوم
 لعبد الوهم بالاحول عن محمد قبا انما رجع المقدم على ذلك وهو جده محمود بن محمد المديان ازا سيد محمد توفيق واركان
 محمولين وان خدمته حطبه وبخاله عن ياترها وان الدولة العلية وحديث ذلك لعبد الوهم المرقوم في بعض النسخه تاما او تاما
 كما عرف مولانا الحاكم الرعي محمد وعليه المديان المرقوم من حيث ذلك الدولة العلية وحديث سابقا المستحقين المرقوم
 على سيد عبد الوهم بالاحول عن محمد قبا عن بعض سيرة شرفه وقبام في خدمته المذكور وان ذلك مستوف بان اوده المذا
 بالقد ليرش وان اناها الدولة العلية بان ذلك محمول عن محمد واركان من المشايخ معطلة وبخاله عن المذا
 فانها على مخلوق الواقع وان الموجب سابقا لعبد الوهم مصابا في الجملة وان مستحق المرقوم ما يتم بصداق محله
 كما ينفى لكون ذلك لم يكن محمولا ولا معلوما ولم يكن منصوصا في مستند المرقوم عن برفع عبد الوهم صاحب
 الحكمة وان صحيحا وحديثا انه لم يتقدم احد مما اوجابنا بالتحقيق في خدمته من مشايخ العا
 والدي لا ياتي وان ذلك محمول بوقوع الادة الختار به واداعا متفرقة في ذلك الادة المقارنه وليس السيد
 المرقوم ما في مع السيد عبد الوهم معارضة ولا منازعة شيئا كما وضعها منذ ذلك منقلا حسا واذ في ذلك
 بالتحقيق في ذلك تاتر صاحبنا في الامة عشر من الاربعة وستة الاربعة وما به في الامة

[1] ادعى كل واحد من محمد بن الحاج خليل السراج وعلي بن سليمان القاوقجي على السيد عبد السلام شيخ السادة المغاربة بالقدس الشريف وقالوا [2] في تقرير دعواهما عليه ان الدولة العلية انعمت عليهما بمشيخة السعاة ومشیخة الدالین بالقدس الشریف بالانحلال عن السيد محمد ابن عصفور الزینی [3] مؤرختین باواخر شهر ربيع الاول سنة تاریخه وابرزاهما من ایدیہما فوجد من مضمونہما ان الدولة العلية انعمت على المرقومین بمشیخة السعاة [4] ومشیخة الدالین بالانحلال عن السيد محمد ابن زین لکون ان المشیختین محلولتین عن المرقوم وان خدمتهما معطلة وخالية عن المباشرة [5] وان السيد عبد السلام المرقوم يعارضهما في ذلك وطالباه بعدم ذلك وسال سؤاله عن ذلك سئل فاجاب السيد عبد السلام بانه مقرر [6]. بمشیخة السعاة ومشیخة الدالین. بمقتضى براءة شریفة تلقا ذلك بالانحلال عن محمد المرقوم وابرز البراة المنیفة من یدہ فوجدت [7] مؤرخة باوايل شوال سنة ثمان وثلاثین ومائة والف من مضمونہا الشریف ان الصدقات العلية انعمت على السيد عبد السلام المغربي. بمشیخة [8] السعاة ومشیخة الدالین بالقدس الشریف بالانحلال عن محمد وان السيد عبد السلام يتصرف في خدمة السعاة والدالین. بمقتضى البراة الشریفة [9] المرقومة اعلاه وابرز السيد عبد السلام المرقوم من یدہ امرا شریفا مؤرخا بشهر ربيع الاول سنة اربع وثلاثین ومائة والف من مضمونه الشریف [10] ان مشیخة الدالین ومشیخة السعاة بالقدس الشریف محلقتان. بمشیخة السعاة المغاربة تابعتان لوقف المغاربة وان ذلك موجه على السيد عبد السلام [11] بمقتضى البراة الشریفة وانه ثم من يعارضه السيد عبد السلام في المشیختین بغير وجه شرعی فحین وصول امرنا الشریف يمنع کل من يعارض السيد عبد السلام [12] بسبب مشیخة السعاع ومشیخة المغاربة ولا احد يتعرض بالمرقوم

[1] Muhammad b. *al-ḥajj* Khalil the saddler and 'Ali b. Sulayman the maker of wadded hats (*qa'uqū'i*) accused the head of the North African descendants of the Prophet (*al-sada al-maghribiyya*) in Jerusalem the Exalted, *al-sayyid* 'Abd al-Salam. [2] In the account of their lawsuit against him they claimed that the Sublime Porte had conferred upon them the honor of head of the messengers (*su'at*) and that of the brokers (*dallalun*) in Jerusalem the Exalted upon its transfer by Muhammad b. 'Usfur al-Zayni. [3] [The two appointments] are dated on the last third of the month of Rabi' al-Awwal in the year of its [i.e. this document's] date¹. They presented these two, and he [i.e. the judge] discovered from their content that the Sublime Porte had conferred upon the two aforementioned the office of head of the messengers [4] and that of head of the brokers. [This, they claimed, was done] when Muhammad b. Zayn completed his term of office, because of the fact that when the latter vacated the two positions, their service [to the public] became erratic and inactive. [5] [Moreover, their claim went on], the aforementioned *al-sayyid* 'Abd al-Salam now opposed them on this matter, hence they demanded from him that this be stopped and that he be questioned about it.

When *al-sayyid* 'Abd al-Salam was asked he replied that he was [well] ensconced [6] in the positions of head of the messengers and head of the brokers, based upon an exalted document of appointment (*berat*) that he received when the said Muhammad vacated them. He presented the sublime document which was found to be [7] dated the first third of the month of Shawwal in the year 1138². Among other parts of its exalted text it said that the Sultan's charities conferred on *al-sayyid* 'Abd al-Salam the North African, the positions of the head [8] of the messengers and that of the brokers in Jerusalem the Exalted when it was transferred from Muhammad. [It also stipulated] that *al-sayyid* 'Abd al-Salam is actually in charge of³ the messengers and the brokers according to the aforementioned exalted document of appointment. [9] The said 'Abd al-Salam [also] presented an exalted decree dated from the month of Rabi' al-Awwal in the year 1138⁴, stating, *inter alia*, that [10] the positions of the head of the brokers and that of the messengers in Jerusalem the Exalted

¹ November 6-15, 1727.

² June 2-11, 1726.

³ Lit.: "in the service of".

⁴ November 7-December 5, 1725.

بسبب ذلك كله واله [?] والاعتماد على العلامة الشريفة وابرز السيد عبد السلام [13] المرقوم من يده حجة شريفة شرعية متوجه بامضا صدر اساطين الموالي العظام مولانا حسن افندي القاضي بالقدس الشريف سابقا [14] مؤرخة بشهر محرم سنة ١١٣٥ ومسطر بهامشها خطوط العلما الفخام والسادات والمشايخ الكرام من خلاصة مضمونها انه حضر بمجلس [15] الشرع الشريف جمع كثير من السادة المغاربة المقيمين بالقدس الشريف واخبروا مولانا وسيدنا الحاكم الشرعي ان السيد عبد السلام شيخ السادة [16] المغاربة بالقدس الشريف من اهل الدين والديانة والفقہ والامانة وانه قائم في ادا [ء] خدمة مشيخة السعاة ومشيخة الدالين [17] على الوجه المرضي وان مشيخة السعاة ومشيخة الدالين من قديم الزمان منوطتان بالسادة المغاربة و... من كان [18] شيخا على الوقف السادة المغاربة يكون شيخا للسعاة والدالين وان السيد عبد السلام قائم في ادا [ء] خدمة المشيختين [19] ولم يحصل منه تعطيل ولا تقصير في ذلك كله ومتصرف في ذلك بمقتضى البراة المؤرخة اعلاه وحضر بحضورهم جم غفير من الثقةا [20] والموحدين واخبروا مولانا وسيدنا الحاكم الشرعي ان السيد عبد السلام المرقوم متقدر في ادا [ء] خدمة المشيختين ولم يحصل منه قصور [21] وان المعهود من قديم الزمان ان مشيخة السعاة ومشيخة الدالين ملحقتان بوقف السادة المغاربة بالقدس الشريف [22] وان ذلك منوط بالمغاربة لا يقارنهم في ذلك احد من الاجانب وان السيد عبد السلام اهل لذلك فعند ذلك تأمل مولانا وسيدنا [23] الحاكم الشرعي المشار اليه كل من الفريقين فوجد مضمون براه السيد عبد السلام المرقوم ان الدولة العلية وجهت المشيختين المرقومتين [24] لعبد السلام بالانحلال عن محمد في التاريخ المتقدم اعلاه فوجد مضمون مستند المدعيان ان

are appended⁵ to the position of the head of the North African messengers that is linked to the endowment of the North Africans. [All] this is entrusted to *al-sayyid* ‘Abd al-Salam [11] pursuant to the exalted appointment document, and [if there] is someone who opposes⁶ *al-sayyid* ‘Abd al-Salam on these two positions [he has] no legal grounds. When our exalted decree reaches [Jerusalem] anyone who might oppose *al-sayyid* ‘Abd al-Salam should be halted [12] with regard to the two positions of the head of the messengers⁷ and the head of the North Africans. Because of all this no one should meddle [in the affairs] of the aforementioned, and you should all rely upon the exalted sign⁸.

Al-sayyid ‘Abd al-Salam presented [13] an exalted legal court-document (*hujja*), crowned with the signature of the leader of the pillars of the great masters, our master Hasan Efendi, the former judge of Jerusalem the Exalted, [14] dated the month of Muharram in the year 1135⁹, on the margin of which are recorded the signatures of the distinguished scholars, the descendants of the Prophet and the venerable dignitaries. The gist of its contents is that the session [15] of the exalted Shar‘i court was attended by a large assembly of North African descendants of the Prophet who reside in Jerusalem the Exalted. They notified our master the Shar‘i judge that *al-sayyid* ‘Abd al-Salam, the head of the [16] North African descendants of the Prophet in Jerusalem the Exalted is a person of faith and religion, jurisprudence and integrity, and that he actually performs the duty of head of the messengers and that of the brokers [17] in a satisfactory manner. The office of head of the messengers and that of the brokers have of old been entrusted to the North African descendants of the Prophet, and whoever [18] was in charge of the endowment of the North African descendants of the Prophet was [also] head of the messengers and of the brokers. *Al-sayyid* ‘Abd al-Salam is actually performing both duties [19] and he has shown neither intermitence nor negligence in any of it, and he is executing it freely according to the appointment document that was dated above. Into their presence came a large group of people who are trustworthy

⁵ The scribe mistakenly changed the order of the letters: it should have been “*mulhaqatān*”.

⁶ Scribe’s error: “*yu’arīduhu*” should be rendered “*yu’arīdu*”.

⁷ Scribe’s error: “*su’ā*” should be rendered “*su’āi*”.

⁸ This is a reference to the authenticity of a document that is attested to by the official *tughra* of the Sultan affixed to its upper part.

⁹ October 12-November 10, 1722.

السيد محمد توفي وان المشيختين [25] محلولتان وخدمتها معطلة وخالية عمن يباشرها وان الدولة العلية وجهت ذلك للمدعين المرقومين بهذه الصفة تاملا تاما فعند [26] ذلك عرف مولانا الحاكم الشرعي محمدا وعلي المدعين المرقومين حيث ان الدولة العلية وجهت سابقا المشيختين المرقومتين [27] على السيد عبد السلام بانحلال عن محمد بمقتضى براءة شريفة وقايم في خدمة ذلك وان ذلك كله منوط بالسادة المغاربة [28] بالقدس الشر[يف] وان انهما للدولة العلية بان ذلك محلول عن محمد وان خدمة المشيختين معطلة وخالية عن المباشر [29] فانها بما بخلاف الواقع وان الموجه سابقا لعبد السلام مصادقا بمحله وان مستند المرقومين لم يصادق محلا و [30] ... ذلك لغو لكون ذلك لم يكن محلول ولا معطلا ولم يكن منصوبا في مستند المدعين برفع عبد السلام مصادقا [31] بمحله وان وعرفهما حيث انه لم يتقدم لاحد من الاجانب التصرف في خدمة مشيخة السعاة [32] والدلائل وان ذلك ملحق بوقف السادة المغاربة ودايما متصرفين بذلك السادة المغاربة فليس للمدعين [33] المرقومين مع السيد عبد السلام معارضة ولا منازعة سبب ذلك ومنعهما من ذلك منعا شرعيا واذن للسيد عبد السلام [34] بالتصرف في ذلك اذنا شرعيا تحريرا في الثامن عشر شهر رجب الفرد سنة اربعين ومائة والف

[20] and profess the unity of God, and they reported to our master, the Shar‘i judge, that the above-mentioned *al-sayyid* ‘Abd al-Salam is capable¹⁰ of performing the duties of the two offices and no shortcoming issued from him, [21] and that it is well known of old that the office of the head of the messengers as well as that of the brokers are appended to the endowment of the North African descendants of the Prophet in Jerusalem the Exalted, [22] and this is the province of the North Africans and no stranger should oppose them on it, and that *al-sayyid* ‘Abd al-Salam is qualified for [all] this.

Thereupon our aforementioned master, [23] the Shar‘i judge, considered [the case of] each of the two parties and confirmed the content of the appointment document of the said *al-sayyid* ‘Abd al-Salam, [i.e.] that the Sublime Porte conferred the said two positions [24] to ‘Abd al-Salam when they were made vacant by Muhammad on the aforementioned date. He [also] confirmed the content of the document of the two plaintiffs to the effect that *al-sayyid* Muhammad passed away and the two positions [25] became vacant, their service became erratic and inactive, and that the Sublime Porte conferred it [i.e. these positions] upon the said plaintiffs in this manner. He fully considered [these two contradicting documents], and then [26] our master the Shar‘i judge informed Muhammad and ‘Ali, the said two plaintiffs [of his following decision]: since the Sublime Porte had earlier addressed these two positions [27] to *al-sayyid* ‘Abd al-Salam upon their transfer by Muhammad, according to an exalted appointment document, and he is performing [all of] it, and all of this is entrusted to the North African descendants of the Prophet [28] in Jerusalem the Exalted, and since their statement to the Sublime Porte that it had been vacated by Muhammad and the services of the two positions became erratic and inactive [29]—their statement [was found to] contravene reality, whereas their [i.e. the two positions] having been earlier conferred upon ‘Abd al-Salam was confirmed while the document [presented by] the said two was not confirmed; [30] there is no cancellation of this since the [two positions] were neither vacant nor interrupted, and in the document of the two plaintiffs there was no reference to the [hypothetical] removal of ‘Abd al-Salam, whose document was in fact confirmed [31]. He [i.e. the judge] notified the two¹¹ that since never

¹⁰ Scribe’s error: “*mutaqaddir*” should be rendered “*muqtadir*”.

¹¹ The preceding word “*wa-ann*” was left by mistake by the scribe who should have deleted it like the one next to it.

before has it occurred that any foreigner was allowed to be appointed to the position of head of the messengers [32] and that of the brokers and this is appended to the endowment of the North African descendants of the Prophet, and the latter have always been in charge of it, thereupon [the judge ruled that] the said two plaintiffs have no right [33] to oppose *al-sayyid* ‘Abd al-Salam or object to him on these grounds, and he prohibited them legally and authorized *al-sayyid* ‘Abd al-Salam legally [34] to dispose freely in this matter. Recorded on the 18th of the month of Rajab in the year 1140¹².

¹² February 29, 1728.

- [1] حضر يوم تاريخه ادناه كل واحد من الحاج خليل بازر باشي والحاج رمضان بن عطا والحاج صالح طعمه وهما الخلاوية بالقدس الشريف
- [2] وذكروا مولانا وسيدنا الحاكم الشرعي المشار اليه ان بعض من الناس يتعاطى صنعة الخلاوجية من غير ان يكون له عادة بذلك
- [3] ولم يساويهم في مغارمهم العايدة على صنعة الخلاوة فعند ذلك نبه مولانا وسيدنا الحاكم الشرعي المشار اليه على الحاج خليل والحاج [4]
- رمضان والحاج صالح المرقومين على كل من يتعاطى صنعة الخلاوة من ساير الخلاوات يساويهم في مغارمهم ومغارمهم تنبيها [5] شرعيا تحريرا في سابع عشري ربيع الثاني سنة اثنين واربعين ومائة والف

[1] On the day of whose date is [recorded] on the lower part [of this document] the following individuals attended [the court session]: *al-ḥajj* Khalil, the head of the marketplace, *al-ḥajj* Ramadan b. ‘Ata and *al-ḥajj* Salih Tu‘ma. The last two were members of the guild of the sweetmeat producers in Jerusalem the Exalted. [2] They all pointed out to our master, the aforementioned Shar‘i judge, that several individuals are involved in the production of sweetmeats without having had any experience in it. [3] They are not equal participants in the financial obligations that are incumbent upon the profession of sweetmeat production.

Thereupon our master the aforementioned Shar‘i judge issued a legal warning to the above-mentioned *al-ḥajj* Khalil, *al-ḥajj* [4] Ramadan and *al-ḥajj* Salih that anyone participating in the production of sweetmeats—as with the other sweets—should be their equal partner in their gains as well as in their financial liabilities. [5] This was recorded on the 27th of the month of Rabi‘ al-Thani in the year 1142¹.

¹ November 19, 1729.

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DOCUMENT IX:

Sijill of Jerusalem, volume 223, p. 155

حاضر هذا الكتاب الشريف وناقرة الخطاب المعبر الراجح الرطل المدعو الحاج محمد الجبالي شيخنا وشيخنا على طاعة الزاوية جميعا بالقدم الشريف وان يساوي بينهم
في مقامهم ومعارفهم واذن مولانا شيخنا الحاضر الشريف على ايدى ربه العلي بدر الوهم بتعاليم امور المشيخة على طاعة الزاوية التي يسبقه بالقدم الشريف
وان يساوي بينهم في مقامهم ومعارفهم نعمنا واذنا صحتهم من مقبول من عاينهم في سائر ارجح الثاني لانه انتم من اربوعه وانه والتميم

[1] حامل هذا الكتاب الشرعي وناقل ذا الخطاب المعتبر المرعي الرجل المدعو الحاج بدر الجبالي شيخا ومتكلما على طائفة الترابة جميعا بالقدس الشريف وان يساوي بينهم [2] في مغارمهم ومغارمهم واذن مولانا وسيدنا الحاكم الشرعي المشار اليه للحاج بدر المرقوم بتعاطي امور المشيخة على طائفة الترابة التي يكون الاتربة بالقدس الشريف [3] وان يساوي بينهم في مغارمهم ومغارمهم نصبا واذنا صحيحين شرعيين مقبولين شرعا تحريرا في سلخ ربيع الثاني لسنة اثنين واربعين ومائة والف

[1] The carrier of this legal document and the bearer of this observed and honored message, the person called *al-ḥajj* Badr al-Jibali [was appointed] head and spokesman of the guild of all the scavengers of Jerusalem the Exalted. He shall treat them equally [in all matters] that concern [2] their profits and their financial liabilities. Our master the Sharʿi judge authorized the above-mentioned *al-ḥajj* Badr to handle the administration of the guild of the scavengers who remove the trash in Jerusalem the Exalted. [3] He [also] authorized him to treat them equally in matters of their profits¹ and financial liabilities. These appointments and authorizations were valid, legal and legally accepted. It [i.e. this document] was written on the last day of Rabiʿ al-Thani in the year 1142².

¹ Scribe's error: "*maḡḥārinimihim*" should be rendered "*maḡḥānimihim*".

² November 25, 1729.

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[1] حامل هذا الكتاب الشرعي مفخر الاتقيا [ء] الشيخ ابراهيم ابن المرحوم الشيخ منصور الكشميري شيخا ومتكلما على جماعة المجلدين [2] للكتب وجماعة دلائن الكتب عوضا عن والده الشيخ منصور بحكم وفاته الى رحمة الله تعالى وانحلال ذلك عنه الايل ذلك [3] لوالده المزبور بمقتضى تقرير شرعي مورخ سنة ١١٠٦ و بموجب براءة شريفة مورخة سنة ١١١٤ واذن الحاكم الشرعي الى الشيخ ابراهيم [4] المزبور بان يكون متيقذا في مشيخة المجلدين للكتب وجماعة دلائن الكتب وان يكون صادقا في قوله وفعله واذا عرض [5] عليه وظيفة للفراغ يطلع عليها ساير العلما [ء] والخدام بالمسجد الاقصى في كل وقف كان وان لا يرغب صاحب الوظيفة بالفراغ [6] لمن ليس له استحقاق وعليه في ذلك كله بتقوى الله تعالى نصبا شرعيا تحريرا في سابع عشر شهر جمادى الاول سنة ثلاث [7] واربعين ومائة والف

[1] [The kadi of Jerusalem appointed] the bearer of this legal document, the glory of the most pious, *al-shaykh* Ibrahim b. *al-shaykh* the late Mansur al-Kashmiri, head and spokesman of the guild of bookbinders [2] and the guild of booksellers in place of his father *al-shaykh* Mansur upon his death [and transition] to the mercy of God Almighty and the dissolution of this [responsibility] from him. This [position] passed into the hands [3] of his aforementioned father based upon a legal report dated 1106¹, and an exalted appointment (*berat*) dated 1114². The Shar'i judge enjoined the aforementioned *al-shaykh* Ibrahim [4] to be diligent³ [in the performance of his duties] as head of the guild of bookbinders and that of booksellers, and to be truthful in his deeds as well as in his words. If he were offered [to deal with] a stipend for a [certain] position [5] that was about to become vacant, he should bring it to the attention of the other scholars and attendants at Al-Aqsa mosque [who are] affiliated with any endowment in question. If the possessor of that stipend does not wish to vacate it [6] for the sake of a person who yet has no claim to it, then he [the guild's head] should do everything out of pious conduct towards God the Sublime. [This was] a legal appointment that was recorded on the 17th of the month of Jumada'l-Awwal in the year [7] 1143⁴.

¹ 1694-5.

² 1702-3.

³ The scribe erroneously copied the letter “*dh*” instead of “*z*”: the word should have been “*mutayqqizan*”.

⁴ December 8, 1729.

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DOCUMENT XI:

Sijill of Jerusalem, volume 256, p. 37

بحمد الموالى الكرام مولانا حاتم الشريعة المظهر بعد بنه القديس
 سلا افندي جامعة مفايده وخدمه العلماء المتبحرين مفتي افندي
 الشيخ الزكيه فقيه افندي وخدمه الاله ما حدوا الايمان سلا
 بها وخدمه الاله ما حدوا الايمان سلا بها وخدمه الاله ما حدوا
 وقف خليل الرحمن وسائر عماله وعلما ووقف اهالي مدينه القدس
 الشريفه بامر من السلام تحيطون علما انه صائر عندكم بدعته
 بخصوص بيع الفلز والوسوس الذي يورد الى مدينه القدس كان
 مربوطا انه لا يساع الا في ذلكا كفي معلومه له علما ان ياخذوا منه ملكه
 فخر فهدا بدعته سنة فاستقاء لوجه الله فقار فغننا منه بعل
 بهما احفظ الى مدينه القديس وانما نوسى بنى لوه اينما ان
 وبيعوه لمن يترى منهم ولا يدفعوا عليه شىء عفو ولا شىء من
 الاشياء وكل من سعى فى نقاضا من بنا هذا فعليه عصف الله تعالى
 لان هذه بدعته فرفناها استقاء لوجه الله تقا فبنا علم
 على ذلك اصدرنا مرسومنا هذا الذى نعتنا السنة وعلمنا
 امرنا هذا الى ما شاء الله تعالى المراد بقبيله من السجل المحفوظ
 اعلو واحمد واعا به الالعلماء د حزرى ١٣١٣ سنه ١٩٤٤

[1] عمدة الموالي الكرام مولانا حاكم الشريعة المطهرة بمدينة القدس الشريف
 [2] منلا افندي دامة فضايله وقدوة العلما [ء] المتبحرين مفتي افندي وفرع
 [3] الشجرة الزكية نقيب افندي وقدوة الاماجد والاعيان متسلمنا [4] بها
 وقدوة الاماجد الاي بيك وقدوة الاماجد ينكر [ي] اغاسي ومتولي [5] وقف
 خليل الرحمن وساير علما [ء] وصلحا [ء] ووجوه اهالي مدينة القدس [6]
 الشريف عموما بعد السلام تحيطون علما انه صاير عندكم بدعة سيئة [7]
 بخصوص بيع الغزل والتوتن الذي يورد الى مدينة القدس كان [8] مربوط
 انه لا يباع الا في دكاكين معلومة لاجل ان ياخذوا منه مكس [9] غفر فهذه
 بدعة سيئة فابتغاء لوجه الله تعالى رفعنا فمن بعد اليوم [10] مهما اجا غزل
 الى مدينة القدس وايضا توتن يتزلوه اينما ارادوا [11] ويبيعه لمن يشتره
 منهم ولا يدفعوا عليه شي [ء] غفر ولا شي [ء] من [12] الاشيا [ء] وكل من
 يسعى في انقاض امرنا هذا فعليه غضب الله تعالى ورسوله [13] لان هذه بدعة
 سيئة ورفعناها ابتغاء لوجه الله تعالى فبناء على [14] على ذلك اصدرنا
 مرسومنا هذا البدعة السيئة ويعمل بمقتضى [15] امرنا هذا الى ما شا [ء] الله
 تعالى المراد تقييده في السجل المحفوظ [16] اعلموا [ا] واعتمدوا غاية الاعتماد
 حرر في ١٣ ش سنة ١١٩٦

[1] [To] the pillar of the respectable judges, our master (*mawla*) the judge of the pure Shari'a in the town of Jerusalem the Exalted, [2] Molla Efendi¹—may his virtues remain forever—and the paragon of the erudite scholars, Mufti Efendi, and the branch [3] of the pure tree, the Head of the descendants of the Prophet (*naqib efendi*), and the paragon of the most distinguished and leading personalities, our governor (*mutasallim*) [4] in it, and the paragon of the most distinguished, the Head of the *sipahis* (*alay bey*)², and the paragon of the most distinguished, the Head of the Janissaries (*yeniçer[i] aghasi*) and the administrator (*mutawalli*) [5] of the endowment of Hebron, and the rest of the scholars, the virtuous and the eminent³ among the inhabitants of the town of Jerusalem [6] the Exalted, generally speaking. After the [customary] greeting we would bring to your attention that you have been experiencing a “bad” innovation (*bid'a*) [7] with regard to the sale of spun [cotton] yarn, as well as tobacco, which are being imported into the town of Jerusalem. [8] It was a prevalent procedure that these⁴ were sold only at specific shops, in order to facilitate the levy of a market tax [9] [called] *ghafar*, and this is a “bad” innovation. For the sake of God—may he [always] be Sublime—we have lifted [this restriction].

As of today, [10] whatever yarn comes into the town of Jerusalem, and the same also applies to tobacco, will be unloaded anywhere that is wished [11] and sold to whomever will be interested to buy it without paying any *ghafar* tax or anything else. [12] Whoever tries to contravene this injunction of ours, God's anger, and that of his Messenger, will be inflicted on him [13] because this is a “bad” innovation and we have abolished it exclusively for the sake of God. We have, therefore, [14] issued this decree of ours for [the abolition] of this innovation and for the application [15] of this injunction of ours for ever and ever⁵. It is our wish that it be recorded in the well-kept *sijill* proceedings. [16] You should know it and fully rely upon it. Written on the 13th of Sha'ban, the year 1196⁶.

¹ The actual name of the bearer of this title is missing, as is the case with the following titles.

² On this position see my *Palestine in the Eighteenth Century: Patterns of Government and Administration* (Jerusalem, 1973), pp. 303-306.

³ The more prevalent term used in this context is “*wujahā*” rather than the one used here, “*wjuh*”.

⁴ Although the document uses here the singular form repeatedly, it refers to both items without any distinction.

⁵ Lit.: “until [the time] that God wish”.

⁶ July 24, 1782.

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DOCUMENT XII:

Sijill of Jerusalem, volume 256, p. 37¹

عندنا هو ابي الكرام مولانا حاكم الشريعة المظهر محمد بن عبد القدوس الشافعي
 من بلاد اقلية دمنه وصايله وقدوة العلماء المتبحر من معاني اهلنا
 وخرج الشيخ الزكيه نقيب اقلية وقدوة الامة ماجد وواعيان
 مسلمنا بها وقدوة الامة ماجد الذي سيكرو وقدوة الامة ماجد بنك انما سي
 وسليم عليا وصلاحا ووجوه هالي مدينة القدس الشريفه
 بعد التوجه والتسليم يحيطون علما ان صابر عندكم يدعون
 عفره وكس علي جميع البواكي وخصه الذي سرد من القرابا
 ابي القدوس مثل عطب ومحرم وعنب وخصه ياد جان ورمانيا وبار
 وخرج وغيره ياخذون منهم الفقير حبه عفره بنكس هذه ندعيه
 فقد رغبنا نحن بعد اليوم منها يوردنا القدس من ناحية بني حسن
 وغيرها من قواكي وحضر لا ياخذون منه شي واصحابه يحسبون ابي
 القدوس ويبغوه لمن اراد وولاد يدعوا عليه شي وكذا الذي
 ستره له يعطون شي وقد اصدرنا امر سونا هذا ورفعا هذه
 البدعيه السبكه استغاثا لوجه الله تعالى ورسوله وكل من سعي
 في انقاص ذلك فعليه غضب الله تعالى ورسوله فشاء على ذلك
 ما صدرنا امر سونا هذا فاعلموا بموجبه وبقيدوه في السجل المحفوظ
 اعلنا في الايام اذ خرج في ٢٣ اثن ١١٤٦

¹ This document was copied immediately after the one dealing with cotton and tobacco presented above. Since it is almost identical with the former one, we reproduced—and translated—only its parts containing new information.

.....[6] بدعة سيئة [7] غفر ومكس على جميع الفواكي وخصوصا الذي يرد
من القرايا [8] الى القدس مثل حطب وفحم وعنب وبادنجان ورمان وخيار[9]
وقزع وغيره ياخذو[1] منهم الغفرجية غفر مكس فهذه بدعة سيئة [10] فقد
رفعنا فمن بعد اليوم مهما يورد الى القدس من ناحية بني حسن [11] وغيرها
من فواكي وخضر لا ياخذ منه شي واصحابه يجيبوه الى [12] القدس ويبيعوه
لمن ارادو[1] ولا يدفعوا عليه شي[ء...]

[6]....a “bad” innovation [7] [by levying] *ghafar* and market tax on all fruits, and particularly those arriving from the villages [8] to Jerusalem such as firewood, coal, grapes, eggplants, pomegranates, cucumbers,[9] locks of sheep’s wool etc. The *ghafarji* watchmen levy this market tax called *ghafar*, but this is a “bad” innovation. [10] We have abolished [it]; hence as of today, whatever items are imported to Jerusalem from the sub-district (*nahiya*) of Bani Hasan² [11] and other areas, that is fruit and vegetables, nothing will be levied on it, and its owners will bring it into [12] Jerusalem and sell it to whom-ever they choose without any payment whatsoever.

² For a description of this sub-district and its villages stretching south of Jerusalem, see Y. Ben-Arieh, “Settlements and population of the *sancak* of Jerusalem in the 1870s” in A. Singer and A. Cohen (eds.), *Aspects of Ottoman History, Scripta Hierosolymitana*, vol. XXXV, pp. 226-8 and map 2 (Jerusalem, 1994).

[1] لما اشترى سعادة حضرة الدستور الوقور الليث الجسور حاقمي الكرم واضعي الشيم صاحب الخيرات [2] والميزات الجامع بين السيف والقلم المشير المفخم الوزير المعظم الشريف الحسيب المحترم جناب النازل [3] السيد احمد عزت پاڻا والي الديار القدسية اعز الله تعالى اقواله وسدد افعاله جميع قطعة الارض [4] الواقعة فوق بستان عين سلوان المحدودة من جهة القبلة الطريق الموصلة لبير سيدنا ايوب [5] على نبينا وعليه الف صلاة والف تسليم وغربا كذلك وتمامه بستان البركة وشرقا ارض [6] من بستان سلوان وشمالا الطاحونة وتمامه طريق موصلة الى رأس العين من بائعها [7] موسى بن عمر ومن اهالي سلوان ورفصها وعمرها وحفظ اطرافها بالحجاجة الكبار [8] وبنا بها حوض ماء طويل اجرى عليه الماء وتبرع بذلك من ماله للله تعالى وجعله وقفا ميرورا [9] للدواب والمواشي والاعنام سيلا لكل قادم ووارد وكانت طائفة الدباغين يغسلون [10] جلود الاعنام وهي باوساخها في بركة سلوان المار بها ماء العين والمجتمع بنا جناب المومى اليه [11] بركة صغيرة لطائفة الدباغين لغسل الجلود بها ورفع ايديهم عن البركة الكبيرة المار منها [12] ماء العين للتطهير وشرط عليهم ان لا يعود اليها لثلا يتنجس او يستقبح الماء لأن فعلهم [13] الاول هو غسل الجلود بالبركة الكبيرة المجتمع بها ماء العين ضرر عام وتعهدوا جميعهم [14] ونذر واعلى انفسهم انم ان غسلوا الجلود بها او واحد منهم غسل جلدا بها او بالحوض الماء [15] للدواب والمواشي يكون عندهم خمسمائة قرش اسدي لحاكم الشرع [في ا] لقدس الشريف [16] كائنا من كان ويخرجوا ذلك الرجل من حرفتهم وصنعتهم وكان بحضور المشايخ [17] والفلاحين من اهالي القرية وتعهدوا مشايخ القرية انم يكونوا سدا منيعا [؟] [18] لهم وان فعل منهم احد ذلك يخبروا عنهم ولاة

[1] His Excellency the venerable high official, the brave lion, the personification of generosity¹, the possessor of [all] good qualities, the pious and benevolent, [2] the one who combines the sword and the pen, the illustrious General², the august Minister, the noble descendant of the Prophet, the honorable descendant [3] *al-sayyid* Ahmad ‘Izzat Pasha, the Governor of the Jerusalem district—may God Almighty reinforce his words and guide his deeds—bought the entire plot of land [4] located above the garden of the spring of Siloam (‘Ayn Silwan)³. [It is] bounded to the south by the road leading to the cistern of our *sayyid* Ayyub⁴ [5]—may one thousand prayers and blessings be conferred upon our Prophet and upon him; the same to its west, at the end of which is the garden of the pool; to its east a [plot of] land [6] that is part of the garden of Silwan; to its north the mill and at its end a road leading to the fountainhead. [He bought it] from its seller [7] Musa b. ‘Umar and from the inhabitants of the village of Silwan. He paved it, developed it, safeguarded its edges with large stones⁵, [8] and built in it a long water basin into which he made the water flow. He used his wealth to consecrate it to God Almighty—may He rise aloft—and turned it into a blessed endowment [9] for pack animals, cattle and sheep, a public fountain for every newcomer and visitor. The guild of tanners would wash [10] the hides of the sheep, when still filthy, in the pool of Silwan, where the waters of the fountain pass through and accumulate.

His Excellency, the above-mentioned, [also] built [11] a small pool for the guild of the tanners in order to wash their hides, and to desist from using the large pool, through which [12] the fountainhead waters flow, for cleaning. He imposed a condition on them to the effect that they never return to it so that they do not contaminate

¹ The legendary historical poet “*ḥātim al-ṭayī*” whom Arab history regarded as the model of generosity is rendered here “Hatim [famous] for [his] generosity” (“*ḥātimī’l-karam*”) in an Arabised version of the Turkish possessive case. The scribe—by way of applying *say’* rhymed prose—used the same construction in the following “*wadī’l-shiyam*”.

² Lit.: “*al-mushīr*”.

³ For additional information about this village see W. D. Hütteroth and K. Abdulfattah, *Historical Geography of Palestine, Transjordan and Southern Syrian in the Late 16th Century* (Erlangen, 1977), p. 114.

⁴ For several traditional Arab chronicles on *būr Ayyūb* see G. Le Strange, *Palestine under the Moslems* (Khayat’s Oriental reprints, Beirut, 1965), pp. 220-223. For early Ottoman references to this valley and the spring of ‘*Ayn Silwān*’ see my *Jewish Life under Islam* (Cambridge, Mass., 1984), pp. 86-101.

⁵ Lit.: “*ḥijāra*” (stones) rather than the somewhat vague “*ḥijāba*” (“guards”).

الامور ونذروا على انفسهم [19] مشايخ القرية ان لم يخبروا ويكون عندهم مائتان وخمسون قرشا اسديا نذر لحاكم [20] الشرع الشريف كائنا من كان وكذلك وقع الشرط على طائفة القصارين ان لا يغسلوا [21] الاثواب والبطاين في راس العين المسمى بام الدرج وان غسلوا بها يكون عندهم [22] نذرا ايضا لحاكم الشرع خمسمائة قرش اسدي وتعهدوا كذلك المشايخ القرية انهم يمنعوا [23] من ذلك وان لم يمكن يخبروا ولاة الامور وان لم يخبروا يكون عليهم نذر مائتا وخمسون [24] قرشا اسديا لحاكم الشرع وقبلوا كلا من الثلاثة فرق ذلك ونذروا كلهم ما ذكر وعين [25] حضرة المومى اليه بحضور الشرع والنقيب للقصارين بغسل قماشهم البركة [26] الكبيرة القديمة المار منها الماء التي كانت للدباغين اولا وكلا من الحرفتين يدفعوا [27] ما عليهم للفلاحين من المعتاد بينهم قديما ومن غير هذا الاسلوب وسعى بالخراب.... [28] فعليه الوبا[ع] او الخسران حرر ذلك في عشرين ربيع الثاني سنة اثنين وتسعين ومائة والف

or befoul the water, because their first task, [13] which is the washing of the hides in the large pool where the fountain waters assemble, causes widespread harm. They all pledged [14] and vowed that if they washed their hides in it, or just one of them washed one hide in it, or in the water basin [15] [intended] for the pack animals or for the cattle, they would owe the judge of Jerusalem the Exalted five hundred piasters (*qirsh*), [16] whoever this may be; [moreover], they would expel that person from their guild and profession.

This transpired in front of the elders [17] and the peasants of the inhabitants of the village. The elders of the village pledged to be a strong barricade [18] for them, and if anyone performed [any of] those things, they would report it to the governors. [19] The elders of the village solemnly vowed that if they failed to report they would owe two hundred and fifty *asadi* piaster to the judge [20] of the exalted Shari'a whoever he might be.

Similarly, a condition was imposed on the guild of the bleachers that they would not wash [their] [21] clothes and linings in the fountainhead called Umm al-Daraj, and if they did wash there, they vowed [22] to pay the judge five hundred *asadi* piasters. The elders of the village pledged that they would prevent [23] it, and if this proved futile, they would inform the governors, and failing that, they vowed to pay two hundred and fifty [24] *asadi* piasters to the judge. All three categories agreed to it, making the aforementioned vow. [25] The above-mentioned [judge] designated in the presence of the legal [court] and the head⁶ of the bleachers for washing their cloth [26] the old, large pool wherefrom the water ran and which had initially been that of the tanners. Each of the two professions will pay [27] all that is traditionally due from them, to the peasants. Any other behavior will bring about destruction [28] [and whoever thus behaves] will be punished by disease and decline. This was recorded on the 20th of Rabi' al-Thani, in the year 1192⁷.

⁶ Lit.: "*al-naqīb*".

⁷ May 18, 1778.

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DOCUMENT XIV:

Sijill of Jerusalem, volume 259, p. 120

بسم الله الرحمن الرحيم
انا اظهد بقره الوزير المرحوم مولانا المنار الله الموفق على البركة التي جعلها الله تعالى المذموم
في سنة ١٠٠٠ من الهجرة النبوية واثمته في السنة التي قطعه ارضي قرب البحر المار من تحتها في سنة
١٠٠٠ من الهجرة النبوية واهلها ابن حمدان من اهلها في قرية سدان وقد رزق الارض خمس في خمسة
من غير رايه صطباها الواقعة الارض بستان البركة المذكور وده قبلة بستان العلويات
وشرق بستان جعفر وشمالا من اعلاها الطريق وغربا قسمة الصناعات وجعلها في السنة
الاربعة عشر من سنة عايشتها وحقها وتعبها وجعلها بركة توفها الوتر في الوتر صناعاتها
كما سحره في سنة وكان ذلك بحضور جميع المسلمين في سنة ١٠٠٠ من الهجرة النبوية
المعالي حفظا لواقعة الحال وتصديقا للمعالي وسط تاريخ الرابع والعشرين من سنة
١٠٠٠ من الهجرة النبوية واهلها

[1] لما اطلع حضرة الوزير المكرم مولانا المشار اليه المفخّم على البركة التي جعلها للدباغين المذكورة [2] في سرته [؟] ولم تعجبه لعدم كونها واسعة فاشترى قطعة ارض قرب مجرى الماء من تيك بستة عشر [3] زلطة من محمد الخليلي وهلال بن حمدان من اهالي قرية سلوان وقدر الارض عشر في عشر [4] من غير داير حيطانها الواقعة الارض ببستان البركة المحدودة قبلة بستان العلويات [5] وشرقا ببستان جعفر وشمالا من اعلاها الطريق وغربا قسمة الصيامات وجعلها لطايفة [6] الدباغين متبرعا بثمانها وحفرها وتعميرها وجعلها بركة جوفها العشر في العشر صيانة للتطهير [7] كما شرح بداخله وكان ذلك بحضور جمع المسلمين فجزاه الله تعالى الحظ الجزيل ثم امر بتسطير [8] المقال حفظا لواقعة الحال وتصديقا للمقال وسطر بتاريخ الرابع والعشرين من ربيع الثاني [9] سنة اثنين وتسعين ومائة والف

[1] When His Highness the honored *wazir*, our aforementioned master, examined the pool which he had made for the tanners [2] [and] which is mentioned in his history [?], it did not please him, because it was not sufficiently spacious. He therefore bought a[nother] plot of land close[r] to the watercourse. [3] [He bought it] for sixteen *zolta* from Muhammad al-Khalili and Hilal b. Hamdan of the inhabitants of the village of Silwan, and the measurements of the land are ten by ten [arm lengths]¹ [4] excluding the circumference of its walls. The [plot of] land is located at the garden of the pool and is bordered on the south by the elevated garden; [5] on the east by the garden of Ja‘far; on the north by the road at its uppermost part; on the west by the grazing² [?] portion. He designated it for the guild [6] of the tanners, endowing its cost [and that of] its digging and its construction. He made it into a pool of ten by ten [as measured] from the inside [and made it] for safeguarding the purity [of the water,] [7] as was explained, in its inside³. This was [done] in the presence of an assembly of Muslims. May God Almighty reward him [for this deed] with abundant good luck. He then ordered that this proposition be written down [8] so as to preserve the accomplished fact and confirm the oral proposition. It was recorded on the 24th of the month of Rabi‘ al-Thani [9] in the year 1192⁴.

¹ A regular length measurement of about 70 cm used at the time (for additional details see “*dhirā*” in *EI*²).

² The spelling of the word is related to “fastings”, which seems totally out of context here. The scribe may have confounded it with “*siyāmāl*” from “*sa’imāt*” meaning “freely grazing livestock”.

³ Either that of the pool itself, or more probably referring to the text of the *siḡill*, “earlier in this text”.

⁴ May 22, 1778.

قَدِيتْ بِالرَّوْفِ الشَّرِي

كان من المعتاد القديم بالبيت المقدس حفظ للنظام ولراحة الوام بها ان اتى باي حوالمكم
 الصابغ على جميع الحرق والصنابع بها ومن حملتها صنعة الصباغة وهي اعظم الصنيع بها
 لانها من الفضة والذهب تصنع الخلي والمصانع لمن يريد وتحتاج الى امانة وعفة وبتقاة
 ومعرفة تامة وصناعها ذم من الصاري وكان المعتاد ان اتى باي يتقن منهم وعلواننا
 صاحب خرة بها ساهرتي معيارها يعرف الذروف منها والجيد الزخلف فاذا راي قطعة متقاة
 اخبر بها الخلي وتعدارها ومقدار معيارها حتى لو حصل خرة للشترى ولو للبايع واذا
 صدرت خيرة من عزره اتى باي بما يقضيه الخلي وذلك كله بموجب مقررات واوامر
 سلطانيه وهذا عرف عام ساري في جميع الامصار والسلوطة فمن منع خرة منتهى
 انهي السيد خليل الراودي للدولة العلية ان صنعة الصباغة بالقدس الشريف ليس لها
 وان لم تحصل لها اقلها وان ساهرتي صنعة الصباغة يعرف الذروف من الجواد وطلبت
 الدولة ان يكون ساهرتي عليها وان يبيع دقعة للفضة الخالصه فتساعلي صفتها ثم اعطوه اذنا
 بذلك وشرطنا بطاخذ هذه الصنعة وكلها عليها الا انه يخبر فيها بخلق الواقع ولو نزع الزينة
 منها فمنا الجواد ونحو الشترى والاراء سراء تطفه مصانع الكثر من ثمنها الخلي وزيارات تلك
 الحكم متسوية لم خفية ومنها زبوق فيمن بان معيارها من اعلو الذهب وهو ذروف
 اللاحق فاذا اشتملت عدة ظهر فيها العنق ويات انهما من الذروف فيحصل القر
 الشترى ومن حملت من حصل له ذلك السيد صالح بك الشرحان والشيخ على افندي
 السهاى وغيرهما من كل عام يحصل شكلي على السيد خليل الراودي من قاطم هذه الشحنة
 على الصاع للصباغة حيث لا يعرفه كم فيها لانه رجل من العطارين ليس له معرفة في الصباغة
 فيحرب ذلككم حضر جميع نخس من القاه الموجد من واخبرنا حوالم الى كم الزينة ان السيد
 الراودي قد ظهرت فتعور في صنعة الصباغة تحمله ووضعت الشترى لما يرضع منها لودم
 معرفته وطلعم وان صنعة الصباغة قد احصل قاطمها به وطلعم منه ان يكون الامر على لوني
 الا كما اعتاد القويم يعني من طرفه من يراه امينا ساهرتي هذه الصنعة الرقوة فعند ذلك لم يهد
 السيد خليل الراودي على نفسه انه من بعد الاق ليس له علاقتي في شحنة صنعة الصباغة وليس

لم تعلق بها واحال الحر فيها الى المعتاد القديم لا حتى بابا لئسها لا سريعا على اجرة الخبز
 بما تقدم ذكره لدى مولانا الحاكم الرشيد والشهد على قبة السيد خليل الداردي بحسن رضاه
 انه من الان فيما بعد لا يتعاطى الكلام على الصاع بالودس ولو يتعاطى معيارها ولو البيع بها
 ولو الشرايل يكون الامر فيها لا حتى بابا كما كان من قديم الزمان بينه الحاكم الرشيد على جمع
 الصاع بالقدس الشريف ان يكون امرهم والكلم عليهم لا حتى بابا كما اعتادوا القديم بموجب
 البوامس السطانية وان يجيدوا في صنعهم الواجب يقتضيه الحال وان تقرر منهم حيازة ولا حذر

احداثا المستترين ولا الباي يعني في صنعهم وان ياخذوا اجرتهم في صنعهم حسب
 المعتاد القديم وغيره بالواقع من المبدأ اذا راوا صلحهم صانع ان كانت عمال الذوق
 قبحوا وانما من الذوق ويحترق المعلا عنها ويعقدار معيارها من القاريط من غير زياده
 ولا نقصان وان صدر حيازة من لحدسهم فاقى بابا بقدره بما يستحقه عاوه لوجله
 نظام البيه وراحمه اهلها ولدفع الضر عنها الباري بذلك في اهل او نبعه على السيد خليل
 الداردي بان بعد الان لا يفارصه له ولا تفارصه وليس له بهذه الصنعة تعلق
 وان عاد الرها فلزم ان يعرض ويورد ان دفع الضر العالم مقدم على التبع الوكيله مربي
 او اضربان شمس سبع وعشرون ويايه والهم

[1] قيدت بالاذن الشرعي [2] لما كان من المعتاد القديم بالبيت المقدس حفظا للنظام ولراحة الانام بما ان اخي بابا هو المتكلم [3] والضابط على جميع الحرف والصناعات بما ومن جعلتها صنعة الصياغة وهي اعظم الصناعات بما [4] لانها من الفضة والذهب تصنع الحلبي والمصاغ لمن يريد وتحتاج الى امانة وعفة واستقامة [5] ومعرفة تامة وصناعاتها ذم من النصارى وكان المعتاد ان اخي بابا ينتخب منهم رجلا امينا [6] صاحب خبرة بما ماهر في معيارها يعرف الزيوف منها والجيد والزلغل فاذا راي قطعة مصاغ [7] اخبر بثنمنها المثلي وبمقدارها ومقدار معيارها حتى لا يحصل ضرر للمشتري ولا للبايع واذا [8] صدرت خيانة منه عزره اخي بابا بما يقتضيه الحال وذلك كله بموجب فرمانات واوامر [9] سلطانية وهذا عرف عام ساري في جميع الامصار الاسلامية فمن منذ عشرة سنين [10] انهى السيد خليل الداودي للدولة العلية ان صنعة الصياغة بالقدس الشريف ليس لها شيخ [11] وانه حاصل لها اختلال وانه ماهر في صنعة الصياغة يعرف الزيوف من الجياد وطلب من [12] الدولة ان يكون شيخا عليها وان يصنع دمغة للفضة الخالصة فبنا [ء] على صحة انها به اعطوه اذنا [13] بذلك واستمر ضابطا لهذه الصنعة ومتكلما عليها الا انه تخبر فيها بخلاف الواقع ولا يميز الزيوف [14] منها من الجياد ويخبر المشتري اذا اراد بشراء قطعة مصاغ باكثر من ثمنها المثلي وربما كانت تلك [15] القطعة مصنوعة له خفية وفيها زيوف فيخبر بان معيارها باعلى الذهب وهو خلاف [16] الواقع فاذا استعملت مدة ظهر فيها الغش وبانت انها من الزيوف فيحصل الضرر [17] للمشتري ومن جملة من حصل له ذلك السيد صالح بك الترجمان والسيد علي افندي [18] الشهابي وغيرهما

[1] Written with a legal authorization.

[2] It has been an old custom in Jerusalem¹ in order to maintain [public] order and comfort for the people [living] in it, that the *akhī bābā* should be the [person] who speaks for [3] and controls all guilds² and crafts in it. One of these is the guild of gold- and silversmithing (*ṣiyāgha*), and it is the most important craft in it, [4] because it is from silver and gold that jewelry³ and gold and silver articles are produced for whoever wants [them]. It requires loyalty, integrity, honesty [5], and consummate skill, and their producers are protected people from among the Christians. It has been customary for the *akhī bābā* to choose from among them a trustworthy person, [6] expert in it, skillful in its alloy,⁴ who can spot the false⁵ [articles] among them [and differentiate between] the good and the counterfeit. If he sees a piece of jewelry [7] he can advise as to its appropriate price, its [weight] rate, and the rate of its alloy, so that no damage will befall the buyer or the seller. If [8] he is responsible for a breach of faith, the *akhī bābā* will reprimand him as circumstance[s] require. All of this [was prescribed] in accordance with decrees and orders [9] of the Sultan, and this is a general custom (*urf*) which is valid in all large Muslim cities.

Ten years ago [10] *al-sayyid* Khalil al-Da'udi informed the Sublime Porte that the guild of gold- and silversmithing in Jerusalem the Exalted had no head, [11] hence disturbance[s] broke out in it. [He went on to suggest] that he was skillful in the craft of gold- and silversmithing [and] knew the false from the genuine. He therefore requested [12] the [Ottoman] authorities⁶ to let him be[come] head of this guild, and to produce a seal (*damgha*) for pure silver. Based upon the accuracy of his information he was granted permission [13] to that effect. He remained a controller of this guild and speaker for it. However, [it transpired that] he had reported about it in a man-

¹ Lit.: *bayt al-maqḍīs*, which is quite unusual in the *sijill* vocabulary and is a direct translation of the original Hebrew term used to designate the Temple. The usual term, as it appears in most of our documents, is *al-quḍs al-sharīf*.

² We translate *ḥirfa*, as well as *ṣan'a*, as "guild", whereas *ṣanā'ī* (plural form of *ṣan'a*) is rendered "crafts". Compare G. Baer, *Egyptian Guilds in Modern Times* (Jerusalem, 1964), pp. 16-19.

³ The dot which makes the word *al-jalī* is out of place; the letter should be dotless, hence read *al-ḥulī*.

⁴ Lit.: "measured".

⁵ The Arabic letter "*dh*" should be read "*z*".

⁶ Lit.: *al-dawla* [*al-'aliyya*] ("the Sublime State"), more often referred to as "the Sublime Porte".

وفي كل عام يحصل شكى على السيد خليل الداودي من تعاطيه هذه المشيخة [19] على الصناع للصياغة حيث لا معرفة له فيها لانه رجل من العطارين ليس له معرفة في الصياغة [20] فموجب ذلك كله حضر جمع غفير من الثقة الموحدين واخبروا مولانا الحاكم الشرعي ان السيد خليل [21] الداودي قد ظهرت منه امور في صنعة الصياغة مخلة ومضرة للمشتريين لما يضع منها لعدم معرفته ولطمعه وان صنعة الصياغة قد اختل نظامها به وطلبوا منه ان يكون الامر محال لآخي [23] بابا كالمعتاد القديم يعين من طرفه من يراه امينا ماهرا في هذه الصنعة المرقومة فعند ذلك اشهد [24] السيد خليل الداودي على نفسه انه من بعد الان ليس له علاقة في مشيخة صنعة الصياغة وليس [25] له تعلق بها واحال الامر فيها الى المعتاد القديم لآخي بابا اشهادا شرعيا فلما اخبرت المخبرون [26] بما تقدم ذكره لدى مولانا الحاكم الشرعي واشهد على نفسه السيد خليل الداودي بحسن رضاه [27] انه من الان فيما بعد لا يتعاطى التكلم على الصاغة بالقدس ولا يتعاطى معيارها ولا البيع بها [28] ولا الشرا بل يكون الامر فيها لآخي بابا كما كان من قديم الزمان بينه الحاكم الشرعي على جميع [29] الصياغ بالقدس الشريف ان يكون امرهم والتكلم عليهم لآخي بابا كالمعتاد القديم. بموجب [30] الاوامر السلطانية وان يخبروا في صنعتهم الا بما يقتضيه الحال وان تظهر منهم خيانة ولا يغدروا [31] احدا من المشتريين ولا الباعين في صنعتهم وان ياخذوا اجرهم في صنعتهم حسب [32] المعتاد القديم ويخبروا بالواقع من المعيار اذا راوا قطعة مصاغ ان كانت من الزيوف [33] فيخبروا لها من الزيوف ويخبروا بمقدار ثمنها وبمقدار معيارها من القراريط من غير زيادة [34] ولا نقصان وان صدر خيانة من احد منهم فاخي بابا يعذره بما يستحقه عادة لا جل [35] نظام

ner contradictory to reality, and that he could not distinguish false [14] articles from genuine ones, thus causing loss to the buyer if he [the latter] wanted to buy a piece of jewelry, by [making him pay] more than its fair price. Moreover, it may be that [15] a piece was produced for him without his [i.e. the guild's head] knowledge and contained false elements, whereas he reported that its alloy was the most expensive gold, and this was contrary [16] to fact. Therefore, if it is used for some time, the fraud that [is] in it will emerge, and it will become clear that it is a false one, hence loss will befall [17] the buyer. Among those to whom this has occurred are *al-sayyid* Salih Bey the interpreter, the *shaykh* 'Ali *efendi* [18] al-Shihabi, and others. Every year complaints are raised against *al-sayyid* Khalil al-Da'udi and his conduct of this senior office (*mashyakha*) [19] over the artisans⁷ of [the guild of] gold- and silversmithing, since he has no knowledge of gold- and silversmithing—being a dealer in spices (*attār*). [20] In accordance with all of this, a large crowd of faithful Muslims⁸ arrived [at court] and informed our master, the *shar'ī* judge [of Jerusalem], that *al-sayyid* Khalil [21] al-Da'udi caused, in the guild of gold- and silversmithing, matters [both] disgraceful and harmful to buyers, as a result of his lowering the value [of its products] because of his [22] ignorance and his greed, and that the order of the guild of gold- and silversmithing was disrupted because of him. They requested of him [i.e. the judge] that the matter be turned over to *akhī* [23] *bābā* as is the old custom, so that he on his part might appoint someone whom he deems loyal [and] skillful in this [above-mentioned] guild. Thereupon [24] *al-sayyid* Khalil al-Da'udi deposed a *shar'ī* testimony about himself [to the effect] that from now on he will have no connection with the headship of the guild of gold- and silversmithing nor [25] any relationship with it. And he turned over authority in these matters [according] to⁹ the old custom to *akhī bābā*.

The informers related [26] the above-mentioned matter to our master, the *shar'ī* judge, and *al-sayyid* Khalil al-Da'udi testified voluntarily about himself [27] that from now on he will not undertake to speak for the guild of gold- and silversmithing in Jerusalem, and will not undertake [responsibility for] its alloy, neither selling it [28] nor buying it, authority in these matters being [restored] to *akhī bābā*,

⁷ The letter “n” is missing; should read “*ṣunnā*”.

⁸ Lit.: “those who profess the unity of God”.

⁹ Scribe's error: “*ilā*” should be changed to “*alā*” hence “according to” instead of “over to”.

البلاد ولراحة اهلها ولدفع الضرر عنها الباري بذلك في اهلها ونبه على السيد
خليل [36] الداودي بانه بعد الان لا معارضة له ولا مقارشة وليس له بهذه
الصنعة تعلق [37] وان عاد اليها فيلزم ان يعزر ويؤدب لان دفع الضرر
العام مقدم على التبر الاكيد حرر في [38] اواخر شعبان سنة تسع وتسعين
وماية والـف

as had been [the case] from times of old. Thereupon the *shar'ī* judge explained to all [29] gold- and silversmiths in Jerusalem that the authority and responsibility for them would be [granted] to *akhī bābā* as is the old custom and in accordance with [30] the Sultan's orders; and that they are to report on [the quality of] their work as circumstance[s] require; and that a breach of faith [should not] originate from them; and that they should not cheat [31] in their work anyone of the buyers or the sellers; and that they would collect payment for their work according to [32] the old custom; and that they would report the true composition of the alloys. If they see gold and silver articles which are false [33], they will report that these are forgeries as well as report the amount of their [real] price and the rate of their alloy in *qirāṭs*¹⁰ [percentage], without any addition [34] or decrease. And if a breach of faith takes place on the part of anyone among them, *akhī bābā* will reprimand him as he deserves according to the custom for the sake of [35] [maintenance] of the order of the city and the comfort of its people, and in order to remove from it the damage which is clearly [?] [harming] its people. And he [the judge] warned *al-sayyid* Khalīl [36] al-Da'udī that in the future he should neither resist him nor oppose¹¹ him, and that he no longer has any relationship with this guild [37]. And if he returns to it, he must be reprimanded and punished, because repair of public damage [must be] given priority over certain destruction. [This decree] was written in [38] the last third (*awākhir*) of [the month of] Sha'ban in the year 1199¹².

¹⁰ 1 *qirāṭ* = $\frac{1}{24}$.

¹¹ This is an Arabic form of a verb that most probably originated from the Turkish "*karışmak*" meaning "opposed, antagonistic".

¹² June 26-July 6, 1785.

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DOCUMENT XVI:

Sijill of Jerusalem, volume 272, p. 9

فرز ملكنا الحكيم الشريفي جاملنا هذا الكتاب كحاج محمود الفندلجي
 واولاده كحاج ابراهيم والسيد محمد وعبد الرحمن وعبد اللطيف والمسيح
 علي المعصانيه الكاتبتين بالقدس الشريف لينتخبا طرا امور المشيخة
 على المعصانيه المرقومين مثل المشايخ الاربعة عوضا عن متصرف
 ذلك السيد عبد الرحمن كما عرفت في حكم فراغته وقصر به لم عن ذلك
 بطيب قلبه وان شريخ صدره ان بل للفاغ ذلك بموجب برات
 سلطانيه مودعه بشهر تا شوال سنة ١١٩٩ واذن مولانا الحكيم الشريف
 الي المقررين كحاج محمود الفندلجي واولاده المرقومين بنغاطي وماسن
 امور المشيخة على المعصانيه بالقدس الشريف في غير معارض ولا سناغ
 لهم لئلا يكون تفررا واذ ناصحي شريفا مقيموه شريعا ونقص كفاغ السيد
 جاملنا في نه بيد المفروغ لهم كحاج محمود واولاده نظير فراغته وقصر به لم
 عن ذلك مبلغا قدره عشرين زلقة مقبوضه بيد كفاغ نه بيد المفروغ
 لهم باعترافه بقبض ذلك الاعتراف الذي في ١٦ من محرم سنة ١٢٠٠

- [1] قرر مولانا الحاكم الشرعي حاملي هذا الكتاب الحاج حموده القندلجي
- [2] واولاده الحاج ابراهيم والسيد محمد وعبد الرحمن وعبد اللطيف في
- المشيخة [3] على المعصرانية الكاينين بالقدس الشريف ليتعاطوا امور
- المشيخة [4] على المعصرانية المرقومين مثل المشايخ السابقين عوضا عن
- متصرف [5] ذلك السيد عبد الرحمن الجاعوني بحكم فراغه وقصر يده لهم عن
- ذلك [6] بطيب قلب وانشراح صدر الايل للفارغ ذلك بموجب برات
- [7] سلطانية مؤرخة بشهرتا شوال سنة ١١٩٩ واذن مولانا الحاكم الشرعي
- [8] الى المقررين الحاج حمودة القندلجي واولاده المرقومين بتعاطي ومباشرة
- [9] امور المشيخة على المعاصر بالقدس الشريف من غير معارض ولا منازع
- [10] لهم في ذلك تقريرا واذنا صحيحا شرعيا مقبولا شرعا وتعوض الفارغ
- السيد عبد الرحمن [11] جاعوني من يد المفروغ لهم الحاج حموده واولاده
- نظير فراغه وقصر يده لهم [12] عن ذلك مبلغا قدره عشرة زلطة مقبوضة بيد
- الفارغ من يد المفروغ [13] لهم باعترافه الشرعي حرر في ٢٦ محرم
- سنة خمس ومائتين والف

[1] Our master, the Shar‘i judge, appointed the bearers of this document *al-ḥajj* Hammuda al-Qindilji [2] and his sons *al-ḥajj* Ibrahim, *al-sayyid* Muhammad, ‘Abd al-Rahman and ‘Abd al-Latif to the position of head of the guild (*mashyakha*) [3] of the Extractors of Sesame Oil who live in Jerusalem the Exalted. [This was done] in order that they undertake the responsibilities of the management [4] of the [above-] listed Extractors of Sesame Oil, as did the former heads. [This appointment was made] as a replacement for the one who had held [5] this position, *al-sayyid* ‘Abd al-Rahman al-Ja‘uni, who advised them that he had vacated it and announced his incapability to [continue] it. [He made this announcement] [6] wholeheartedly and open-mindedly, [and the position in question] had reached the vacating party as a result of a Sultanic appointment document (*berat*) [7] issued in the¹ month of Shawwal in the year 1199².

Our master, the Shar‘i judge, authorized [8] the appointees *al-ḥajj* Hammuda al-Qindilji and his [above-] listed sons to undertake and execute [9] the responsibilities of the management of the Extractors³ of Sesame Oil in Jerusalem the Exalted without any contender or opponent [10] to them in this matter. [This was] a valid and legal appointment and authorization, legally accepted [by the appointees]. The vacating *al-sayyid* ‘Abd al-Rahman Ja‘uni was compensated [11] by those for whom the position was opened, *al-ḥajj* Hammuda and his sons; in return for his relinquishing and his [admitting his] inability [to proceed in this position, he was given] by them [12] for it the sum of ten *zolta* which [he,] the vacating person, received from the hand of those for whom it was opened [13] by way of his legal acknowledgment. [This was] recorded on the 26th of Muharram in the year 1205⁴.

¹ Scribe’s error: the letters “*tā*” that precede the month of Shawwal belong elsewhere.

² August 1785.

³ Lit.: “Oil presses” “*al-ma‘āšir*” instead of the above-mentioned *al-mi‘šarāniyya*.

⁴ October 5, 1790.

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DOCUMENT XVII:

Sijill of Jerusalem, volume 275, p. 45

حضر لدي مولانا وسيدنا هاتم الرعي كل واحد من حاج محمد ابو منم وهو شيخ والتكلم
 على طائفة دلائل اليهود بالقدس الشريف وحضروا بحضوره طائفة دلائل
 من اليهود وهم حاتم عيش واماك الزيات وليا به القلاج وتنان القا
 و اباي الجلبه ويا هو ده اخضره وارون غزال ونجود عيش وحاتم
 قيس وليا به جمال وكانهم نجود ذليليق وهم جميعا دلائل طائفة اليهود
 واقروا عذوقا واشهدوا على انفسهم بحسن اختيارهم ورضاهم
 جميعا شركاء بما يبيعونه ويشترونه ومما حصل لهم او لاصدقهم رجا
 يقسم بينهم على ثلاثة عشر سهرا منه ثلاثة اسهم لتكلم عليهم بحاج
 محمد ابو منم وما بقي يقسم بينهم على عشرة اسهم لكل منهم سهم وفي
 المقدم يكون كذلك حسب نصهم بذلك فقبلوا كل منهم ذلك وقد زادوا
 في اشهادهم ان كل واحد حصل منه خيانه في صناعتهم هذه ما زاد على غرض
 يخرج من هذه الصناعات ليعود اليها ويترتب جزاءه للايق حاله وكل منهم
 اسهل على نفسه بذلك وقبل ذلك وعلى ما وقع حرا وسطر في سادس مجا دي
 الثاني سنة ثمانمئذ وما يتبين قاص

[1] حضر لدى مولانا وسيدنا الحاكم الشرعي كل واحد من الحاج محمد ابو مریم وهو شيخ والمتكلم [2] على طائفة دالین اليهود بالقدس الشريف وحضروا بحضوره طایفة دالین [3] من اليهود وهم حایم عیش واسحاق الزیات ولیایه الفلاح وتان السقاط [4] وابائ الحلبیة ویاهوده اخضیره وارون غزال وبخور عیش وحایم [5] قیس ولیایه جمال وکاتبهم بخور زندیق وهم جمیعا دالین طایفة اليهود [6] واقروا[وا] واعترفوا واشهدوا على انفسهم بحسن اختیارهم ورضاهم انهم [7] جمیعا شركاء فما یبعونه وما یشترونه ومهما حصل لهم او لاحدهم ربعا [8] یقسم بینهم على ثلاثة عشر سهما منهم ثلاثة اسهم لتكلم علیهم الحاج [9] محمد ابو مریم وما بقى یقسم بینهم على عشرة اسهم لكل منهم سهم وفي [10] المغرم یكون كذلك حسب تراضیهم بذلك فقبلوا كل منهم ذلك وقد زادوا [11] على اشهادهم ان كلوا من حصل منه خیانة في صناعتهم هذه ما زاد على غرش [12] یخرج من هذه الصناعة ولا یعود الیها ویترتب جزاه المایق بحاله وكل منهم [13] اشهد على نفسه بذلك وقبل ذلك وعلى ما وقع حرر و سطر في سادس جمادى [14] الثاني سنة ثمانية ومايتين والف

[1] The following individuals appeared before our master the Shar'i judge: *al-ḥajj* Muhammad Abu Maryam who is the¹ head [2] and spokesman of the guild of the Jewish brokers in Jerusalem the Exalted; with him were present a group of Jewish brokers [3]—Hayim 'Aysh, Ishaq the oil-dealer (*al-Ḥayyat*), Liyaya the peasant (*al-fallah*), Natan the junk dealer (*al-saqqaṭ*), [4] Aba'i al-Halabiya, Yahuda Khdayra, Aron Ghazzal, Bekhor 'Aysh, Hayim [5] Qays, Liyaya Jamal, and their scribe Bekhor Zindiq—all of them brokers from the Jewish community. [6] They² confirmed, admitted and testified about themselves, out of their own choice and free will, that [7] all of them were partners in everything³ they bought or sold, and whatever profit might accrue to them—or just one of them—[8] would be divided among them into thirteen shares. Three shares will belong to their⁴ spokesman, *al-ḥajj* [9] Muhammad Abu Maryam, and the rest will be distributed among them in ten shares, [namely] one share to each of them.[10] The same [procedure] will be applied in case of liabilities. All of this was [established] based upon their mutual satisfaction and every one of them gave his consent. Moreover, they added [11] to their testimony that if a breach of faith by any one⁵ [of the guild members] occurred in this line of their professional activity, in as little as one piaster, [12] he would be expelled from this profession and would not return thereto. He would [also] be fined accordingly⁶. Every one of them [13] personally testified about this and agreed to it. This was recorded and written down according to the way it occurred on the 6th of Jumada II [14] in the year 1208⁷.

¹ The definite article of the noun "*shaykh*" is missing in the original text.

² Although all three verbs were to be written in the plural form, the first one was given in the singular: the scribe, whose Arabic was faulty in more than one case in this document, confounded the letters "*wā*" and "*alif*" of the beginning of the second verb with the same letters that should have rendered the ending of the first one.

³ A scribe's error: should have been "*fimā*".

⁴ Should have been "*l'il-mutakallim*".

⁵ A scribe's error: instead of "*kilwā*" it should read: "*kilā*".

⁶ Most probably a slip of pen by the scribe: "*al-mā'iq*" should be rendered "*al-lā'iq*" "befitting, appropriate".

⁷ January 9, 1794.

DOCUMENT XVIII:

Sijill of Jerusalem, volume 278, p. 50-51

تسلا لوز الشري في سنة ١٢١٠

صدر الموالي العظمى المولى الهمام حوله تاملا افندي مدينة القدس الشريف واقفا
 واقفنا راعيا والفضل الكرام ما دون باله قنا افندي واقفة عده و فرخ الحرم
 الزكية قائم مقام فقيد الاشراف افندي زيد شريف وشا وعلما اعيان ريدت علومهم
 واقفنا راعيا فاجد راعيا غيا المكرم قلنا بها حاله فاعلمنا ما نريد وقررتنا
 الله لم يكلج افاكي وغيره الى كسبحي زيد قدرهما بعد النجوى والسليم كطون
 علما طرفا ما معناه ان سقاية اما بافندي الشريف ينقلون ايام ابارا ابي
 الشريف انغدي وبيعهونه الى طوائف المضاري واليهود وما بعد
 ام مقابر رضى الهار عاتقا ولا ترضى في سجاية لان آاار المسجد الشريف اعدت
 لتسبل لفقرا استا القدس وجمهورية المسجد المطهر فمن ان فصاعد منهم
 على عاقبة السقاية جميعا بان ان احد منهم ينقلنا من ابي محمد الشريف الى
 طوائف المضاري واليهود وتظروا النداء والشا بان كل من نقل وابع من
 الى المقبوران لضرب ضربا يمدد باو حبس جاسد بدوا وكذا ذلك كل من يترى ما
 السقاية من في المسجد من الطوائف ينقطع من حصة ويورث ويكون منكم قال
 الله بجهاد لذلك وان حصل تراخي تعاتبون من طرفنا وكذا ذلك طوائف
 من الناس يدخلون المسجد الشريف بانغالهم الذي يمشون به في الهواش
 الغرطاهم فكل ذلك تظروا النداء والشا بان كل احد من كبر وصغر يدخل المسجد
 المبارك بالفعل المذكور وكل من دخل يحصل له الناديت النام والرضا طرفا
 ان ساق الفلح حين في اوقات المعاصم يمشون المسجد بولاد جمع الضمائر
 المسجد المبارك بانواع القدر والشا قاله فقال العبيد والباقيين يمشون

41

والنقولات سبب المسود الشريف وبداخله وحصل من يد جاز العززاله سبحانه
وهذا سيهتج شرا ونحبت علينا وعليكم منعه فالمراد منهم بعد ان يظهر
النداء الصاير ان لا يدخلوا احد من نسا القلا حتى يولد احد من السباعين يسير
الفواكه والنقولات سبب المسود الشريف ولا بدخله وتكونوا بالتمسك التام في
ومنع جميع ما رسمناه فبنا على ذلك اصدينا لكم وما هوذا امر وتوان
لوقوفكم جميعا على محواه لعلوا بموجبه ونحنا اسوا مخالفة اعلوا وتكرار
عالم لو علمنا وراخذ من الف وديوم حال الكمال

[1] قيد بالاذن الشرعي في ٣ ج سنة ١٢١١ [2] صدر الموالي العظام المولى الهمام مولانا منلى افندي مدينة القدس الشريف دامت فضايله [3] وافتحار العلماء[ء] والفضلاء[ء] الكرام ماذون بالافتا[ء] افندي دامت علومه وفرع الشجرة[4] الزكية قائمقام نقيب الاشراف افندي زيد شرفه وسائر علما[ء] و اعيان زيدت علومهم [5] وافتحار الاماجد والاعيان الكرام متسلمنا بها حالا قاسم بيك زيد مجده وقدوتي الاماجد [6] الكرام ينكر[ي] اغاسي ومير الاي السنجق زيد قدرهما بعد التحية والتسليم تحيطون [7] علما طرق مسامعنا ان سقاية الماء بالقدس الشريف ينقلون الماء من ابار المسجد [8] الشريف القدسي ويبيعونه الى طوايف النصارى واليهود بالقدس فهذا [9] امر مغاير رضا[ء] الباري تعالى ولا نرضى في جريانه لان ابار المسجد الشريف اعدت [10] للسبيل لفقرا بيت المقدس ومجاورين المسجد المطهر فمن الان وصاعد تنبهوا [11] على عامة السقاية جميعا بان لا احدا منهم ينقل ماء من المسجد الشريف الى [12] طوايف النصارى واليهود وتظهروا النداء [ء] والاشاعة بان كل من نقل وباع من السقاية [13] الى المسفورين يضرب جزا[ء] شديدا ويجبس حبسا مديدا وكذلك كل من اشترى من [14] السقاية من ماء المسجد من الطوايف ينطلع من حقه ويودب ويكون منكم كمال [15] الاجتهاد لذلك وان حصل تراخي تعاتبون من طرفنا وكذلك طرق مسامعنا [16] بان الناس يدخلون للمسجد الشريف بانعالهم الذي يمشون به في الاسواق [17] الغير ظاهرة فكذلك تظهروا النداء [ء] والاشاعة بان لا احد من كبير وصغير يدخل المسجد [18] المبارك بالنعل المذكور وكل من يدخل يحصل له التاديب التام وايضا طرق مسامعنا [19] ان نساء الفلاحين في اوقات المواسم يدخلون المسجد باولادهم الصغار وينجسون [20] المسجد المبارك

[1] Written with legal permission on the third of Jumada'l-Akhira in the year 1211¹.

[2] [To] the leader of the great *mawlas*, the magnanimous judge, our *mawla*, the chief judge of Jerusalem the Exalted, may his virtues last forever, [3] and the pride of the distinguished scholars and erudite people, so-and-so Efendi, [who is] authorized to deliver formal legal opinions, may his knowledge last forever, and the branch of the pure tree, [4] the representative of the Head of the descendants of the Prophet (*naqib al-ashraf*), so-and-so Efendi, and all the other scholars [and] notables, may their knowledge increase, [5] and the pride of the more distinguished and eminent people, Qasim Bey, our present governor (*mutasallim*) in it [Jerusalem], may his glory increase, and the two models [6] of the high-ranking [and] most prominent Captains of the Janissaries (*yeniçeri aghası*) and of the cavalry (*mir alay*) of the district (*sancaq*), may their worth increase:

After the greetings and salutations, let it be known to you [7] that it has been brought to our attention that the water-carriers of Jerusalem the Exalted carry water from the cisterns of the Exalted Mosque [8] of Jerusalem, and sell it to the Christian and Jewish congregations in Jerusalem. This is [9] a matter that contradicts the will of the Almighty Creator, [nor] do we wish it to proceed, since the cisterns of the Exalted mosque were designated [10] for the public fountain for the poor of Jerusalem and those living in the vicinity of the immaculate al-Aqsa mosque. As of today you must warn [11] all of the water-carriers that no one among them may carry water from the Exalted Mosque to [12] the Christian and Jewish communities. You must issue a public announcement and spread the news that any water-carrier who would carry or sell [water] [13] to the above-mentioned will be liable to a heavy punishment and will be jailed for an extended period. Moreover, any member of the above communities, if having bought [14] any of the Mosque water, will be severely punished. You should pay particular attention [15] to this [decree], and if any negligence is manifested, we shall have you punished.

It has also reached our ears that [16] people enter the Exalted Mosque wearing their shoes which they wear while walking in the unclean markets [17]; hence you must issue a public announcement and spread the word that no person, big or small, may enter the

¹ December 4, 1796.

بانواع القذورات والافعال القبيحة والبايعين يبيعون الفواكه [21]
والنقولات بباب المسجد الشريف وبداخله ويحصل من ذلك كمال
التضرر والا ستخفاف [22] وهذا شي [ء] ممنوع شرعا ويجب علينا وعليكم
منعه فالمراد منكم من بعد الآن تظهروا [23] النداء [ء] ايضا بان لا يدخل
المسجد احد من نساء الفلاحين ولا احد من البايعين يبيعون [24] الفواكه
والنقولات بباب المسجد الشريف ولا بداخله وتكونوا باذلين السعي التام
في [25]... ومنع جميع ما رسمناه فبنا [ء] على ذلك اصدرنا لكم مرسومنا
هذا من ديوان الشام [26] لوقوفكم جميعا على فحواه تعملوا بموجبه
وتتحاسوا مخالفته اعلموا ذلك واعتمدوه [27] غاية الاعتماد والحذر من
الخلاف ديوي في ٢٤ جا سنة ١٢١١

Blessed Mosque [18] wearing the [above-] mentioned footwear, and whoever may [thus] enter will be severely punished. It has also reached our ears that [19] the peasants' women, on festive occasions (*al-mawasim*), enter the Mosque with their young children who soil [20] the Blessed Mosque with various [kinds of] garbage and disgusting deeds, and the vendors sell fruit [21] and sweets at the entrance, as well as inside it, which cause total harm and disdain. [22] This thing is unlawful, and both we and you must stop it. From this day onward you are also to issue a public announcement [23] that none of the peasant women may enter the Mosque, nor may any of the vendors [24] of fruit and sweets [do it] at the entrance to the Exalted Mosque, nor inside it, and you must exert [your] utmost effort in... [25] and in stopping all that we have described. We have, therefore, issued our order (*marsum*) at the council of Damascus [26] so that all of you will become aware of its contents, act upon it and refrain from violating it in any way. You should know it and rely upon it [27] fully and refrain from contravening it. Issued on the 24th of Jumada'l-Ula in the year 1211².

² November 25, 1796.

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DOCUMENT XIX:

Sijill of Jerusalem, volume 290, p. 310

حضر لهما مولانا كل واحد من السيد حسين كحلق والحاج احمد الزغلي والحاج احمد القنبور والسيد موسى
 الشماخي وحسين الشنبي وبكر عواد وداود القنبور وخبيل الحرنبي ومطهر السنديان والسيد صالح
 السعدني وهم طائفة الداغين بالقدم الشريف وطبيب قلبهم وانواع صدرهم من غير اكرام لهم وكان
 ولا اجبار انهم متعهدون بتوريد الفوسجاية جوز خيش الكيلار الح الشريف لكل جنور مستند
 غوثي السدي ونصفي غرض الندي وحمه فضله بشرط لئلا يندفعوا الا حق طريقه ولا اجسرتي ولا غير
 ذلك من سائر الكاليف بل يكونوا معافين من كل مغرم والمهم متعهدون بتوريد كفا من غير نقصان
 لكيلا يالح الشريف سنة تاريخه وانه وصلهم شمع خيش العالم الماضي ولم يبق لهم من ذلك
 الدرهم الفم وتعهدا مني لاسر عباوان يكون نوريه الاف والسجاية جوز خيش الملكوت كجنان
 حقه الكابر والاعيان حاوي رتب المداكي والعرفان مهمل في اغاثة القديس الشريف وقبضوا
 شمع ذلك منه عبرة في اليوم التاسع من شهر ربيع الثاني سنة ثمان مائة وثمانين وثمانمئة

[1] حضرلدى مولانا كل واحد من السيد حسين الخلف والحاج احمد الزغلي
والحاج احمد القنبور والسيد موسى [2] الشامي وحسين اشتيه وبكر عواد
وداود القنبور وخليل الخزيني ومصطفى السنديان والسيد صالح [3] السعدية
وهم طايفة الدباغين بالقدس الشريف وبطيب قلبهم وانشراح صدرهم من غير
اكر اه لهم في ذلك [4] ولا اجبار انهم متعهدين بتوريد الف وسبعماية جوز
خيش لكيلار الحج الشريف بسعر كل جوز ستة [5] غروش اسدي ونصف
غرش اسدي وخمسة فضة بشرط ان لا يدفعوا لا حق طريق ولا اجرة تفكجي
ولا غير [6] ذلك من سائر التكاليف بل يكونوا معافين من كل مغرم وانهم
متعهدين بتوريدها من غير نقصان [7] لكيلار الحج الشريف سنة تاريخه وانه
وصلهم ثمن خيش العام الماضي ولم يبق لهم من ذلك [8] الدرهم الفرد
تعهدا صحيحا شرعيا وان يكون توريد الالف والسبعماية جوز خيش
المذكورة لجناب [9] عمدة الاكابر والاعيان حاوي رتب المعالي والعرفان
مصطفى اغا متسلم القدس الشريف ويقبضوا [10] ثمن ذلك منه حرر
في اليوم التاسع من شهر شوال لسنة خمس وثلاثين ومايتين والالف

[1] The following individuals came before our master [the judge]: *al-sayyid* Husayn al-Khalaf, *al-ḥajj* Ahmad al-Zaghali, *al-ḥajj* Ahmad al-Qanbur, *al-sayyid* Musa [2] al-Shami, Husayn Ishtiyya, Bakr ‘Awwad, Da’ud al-Qanbur, Khalil al-Khazini, Mustafa al-Sindian, *al-sayyid* Salih [3] al-Sa’diyya. They are the guild of the tanners in Jerusalem the Exalted. [They acknowledged] wholeheartedly and gladly, without any coercion in this matter [4] or compulsion, that they pledge to provide 1700 pairs of sack for the supplies of the exalted pilgrimage [caravan] at the price of [5] six and a half *asadi* piaster and five silver coins a pair on condition that they do not pay any “road tax” or “gunman’s fee” or any [6] other imposition. Moreover, they will be exempted from any fine and they undertake to provide them fully [7] for the supplies of the exalted pilgrimage [caravan] of the year dated [herein]. [They also acknowledged] that they had received the price of the sacks of the former year and they are not entitled to [8] one coin for that [provision]. [This was] a valid and legal undertaking. [They also pledged] the provision of the aforementioned 1700 pairs of sacks to the Right Honorable [9] pillar of the grandees and notables, the possessor of the qualities of excellence and knowledge, Mustafa *Agha*, the governor (*mutasallim*) of Jerusalem the Exalted, and they will collect [10] the price of [all] this from him. Recorded on the ninth day of the month of Shawwal in the year 1235¹.

¹ July 20, 1820.

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